ADMINISTRATIVE PANEL DECISION

Confédération Nationale du Crédit Mutuel-CNCM v. Toros Houilliez
Case No. D2026-3073

1. The Parties

The Complainant is Confédération Nationale du Crédit Mutuel-CNCM, France, represented by MEYER & Partenaires, France.

The Respondent is Toros Houilliez, France.

2. The Domain Name and Registrar

The disputed domain name <client-credit-mutuel.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 13, 2026. On July 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 13, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Domains By Proxy, LLC DomainsByProxy.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 15, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on July 17, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 10, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 13, 2026.

The Center appointed William Lobelson as the sole panelist in this matter on August 17, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is Confédération Nationale du Crédit Mutuel, a French banking and insurance group, that runs banking and financial services, in particular in France, under the brand Crédit Mutuel.

It owns trademark rights in the name “Crédit Mutuel”, inter alia:

CRÉDIT MUTUEL, European Union nominal trademark no. 18130616, registered on September 2, 2020;
CRÉDIT MUTUEL, European Union figurative trademark no. 16130403, registered on June 1, 2017;
CRÉDIT MUTUEL, European Union semi-figurative trademark no. 18130619, registered on May 22, 2020;
CREDIT MUTUEL, French nominal trademark no. 1475940, registered on December 30, 1988; and
CREDIT MUTUEL, French nominal trademark no. 1646012, registered on July 26, 1991.

The reputation of the Complainant’s trademark has been acknowledged in many earlier UDRP decisions.

The disputed domain name <client-credit-mutuel.com> was registered on June 22, 2026. It is directed to a web page featuring a contact form, financial imagery, and the title “Gestion Simple, Performance Maximale”, which seems to offer financial or asset management services. A shortened version of the Complainant’s marks is displayed on the home page, namely CMUTUEL. The page invites users to enter their personal details, in order to subscribe to a mailing list.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to its earlier trademark, that the Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name has been registered and used in bad faith.

B. Respondent

The Respondent did not reply to the Complainant’s contentions.

6. Discussion and Findings

Notwithstanding the default of the Respondent, it remains incumbent on the Complainant to make out its case in all respects under the Rules set out in paragraph 4(a) of the Policy. Namely, the Complainant must prove that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (paragraph 4(a)(i));

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name (paragraph 4(a)(ii)); and

(iii) the disputed domain name has been registered and is being used in bad faith (paragraph (a)(iii)).

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the CREDIT MUTUEL mark is reproduced within the disputed domain name.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms, here, "client" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name particularly by asserting that the Respondent is not affiliated with it in any way and that it never authorized the Respondent to use its trademark as part of the disputed domain name. The Complainant contends that the Respondent does not make any bona fide or legitimate noncommercial fair use of the disputed domain name.

In addition, the evidence filed in support of the Complaint shows that the disputed domain name has been used to cause confusion with the Complainant, for phishing purposes. Panels have held that the use of a domain name for illegitimate activity can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Complainant has substantiated the reputation of its trademark, particularly in France, and that the Respondent has declared a place of residence in France. Due to the longstanding use and reputation of the Complainant's mark in France, the Respondent could not reasonably be unaware of the Complainant's trademark rights when it registered the disputed domain name.

It is further observed that the disputed domain name, which reproduces the Complainant's CREDIT MUTUEL mark and simply adds thereto the term "client", is directed to a web page that purports to offer financial asset management services (services which the Complainant itself provides), and where an abbreviation of the Complainant's mark is displayed.

The said web page provides an input form inviting Internet users to enter their personal contact details.

It transpires from the above that the Respondent has registered and uses the disputed domain name to intentionally create a likelihood of confusion with the Complainant's mark and pass itself off as the Complainant with a view to collecting Internet users' personal details, in all likelihood for phishing purposes.

Panels have held that the use of a domain name for illegal activity, here, claimed passing off and phishing, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <client-credit-mutuel.com> be transferred to the Complainant.

/William Lobelson/
William Lobelson
Sole Panelist
Date: August 25, 2026