

ADMINISTRATIVE PANEL DECISION

ONEY BANK v. Melkihor Komi, Km Consulting
Case No. D2026-3255

1. The Parties

The Complainant is ONEY BANK, France, represented by BrandShelter, France.

The Respondent is Melkihor Komi, Km Consulting, France.

2. The Domain Name and Registrar

The disputed domain name <oneybank.online> is registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 23, 2026. On July 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 24, 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 (REDACTED FOR PRIVACY, REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 27, 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 31, 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 August 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 28, 2026.

The Center appointed Elise Dufour as the sole panelist in this matter on September 1, 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 a French public limited company registered with the Trade and Companies Register of Lille Métropole, with its registered office in Croix, France. It states that it specializes in consumer credit, electronic payments, and payment card management, and that it has been active since 1983. According to its corporate website, the Complainant, which operates under the trade name ONEY, offers payment, consumer finance, and insurance solutions to retailers and their customers in several European countries.

The Complainant is the owner of several trademark registrations, including the following:

- International trademark registration ONEY No. 865742, registered on August 11, 2005, in classes 9, 36, and 38;
- International trademark registration ONEY (figurative) No. 1171086, registered on May 3, 2013, designating, inter alia, the European Union, in classes 9, 35, 36, 38, 39, 41, and 42; and
- International trademark registration ONEY BANK No. 1330333, registered on September 13, 2016, in classes 9, 35, 36, 38, and 42.

The above will be collectively referred to as the “Trademarks”.

The Complainant states that it holds several domain names composed of the term “oney”, including the domain name <oney.com>, registered on October 12, 2003, which resolves to its corporate website.

The disputed domain name was registered on July 21, 2025. At the time of the filing of the Complaint, the disputed domain name resolved to a default page of the Registrar indicating that the domain name had been registered and inviting its holder to administer it. The Complainant has provided a capture showing that the same page was displayed on August 5, 2025. At the time of this Decision, the disputed domain name still resolves to that default page of the Registrar.

On August 5, 2025, the Complainant's representative sent a cease-and-desist letter by email to the contact address displayed for the registrant of the disputed domain name in the publicly available registration data, requesting that the registrant disclose any rights or legitimate interests in the disputed domain name and, failing that, transfer it to the Complainant.

The Complainant states that the letter remained unanswered.

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.

The Complainant states that it has become one of the leading financial partners in the European Union, with a portfolio of 10 million customers, and that it owns various trademarks composed of the sign “oney”, alone or combined with other elements, throughout the world.

As regards the first element, the Complainant contends that the second-level portion of the disputed domain name combines its ONEY trademark, which constitutes its dominant and distinctive element, with the generic term “bank”, which refers to its activities, so that “oneybank” is identical to its ONEY BANK trademark and creates a risk of confusion with its trademarks and activities. It adds, relying on *Oakley, Inc. v. Joel Wong/BlueHost.com- INC*, WIPO Case No. [D2010-0100](#), that the addition of a generic word to a registered trademark does not typically negate confusing similarity.

As regards the second element, the Complainant contends that the Respondent has no prior trademark rights in the disputed domain name, that Internet searches for the term “oneybank” refer to the Complainant and its activities, and that, following the disclosure of the registrant information, searches for the terms “KM Consulting Oney Bank” and “Melkihor KOMI Oney Bank” revealed no connection between the Respondent and its trademark. It contends that ONEY is not a generic term necessary to describe goods, services, or an activity, and that the disputed domain name has only resolved to a default page of the Registrar since its registration, which constitutes neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use. It further contends that the Respondent did not reply to its cease-and-desist letter, which in its view shows that the Respondent could not justify any rights or legitimate interests.

As regards the third element, the Complainant contends that, given its reputation, the Respondent could not have ignored its prior rights, that ONEY is a fanciful term which was not chosen for any meaning of its own, and that the misappropriation of a well-known trademark as a domain name by itself constitutes bad faith registration, relying on *Aktiebolaget Electrolux v. Domain ID Shield Service Co., LTD / Dorian Cosentino, Planeta Servidor*, WIPO Case No. [D2010-1277](#), and *Volvo Trademark Holding AB v. Unasi, Inc.*, WIPO Case No. [D2005-0556](#). It further contends that the registration of the disputed domain name through a privacy service is an indication of bad faith, relying on *Dr. Ing. h.c. F. Porsche AG v. Domains by Proxy, Inc. and Vladimir Putinov*, WIPO Case No. [D2004-0311](#), and *WWF-World Wide Fund for Nature aka WWF International v. Moniker Online Services LLC and Gregory Ricks*, WIPO Case No. [D2006-0975](#), and that the disputed domain name is not used in connection with any bona fide offering of goods or services. It finally contends that the Respondent’s silence in response to its attempts at amicable resolution, together with the fact that the registration prevents it from reflecting its trademark in a corresponding domain name, evidences registration and use in bad faith.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

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 design elements of the figurative registration No. 1171086 are disregarded for the purposes of this assessment. [WIPO Overview 3.1](#), section 1.10.

The entirety of the ONEY BANK Trademark is reproduced within the disputed domain name, the space between its two words being omitted as spaces cannot be included in a domain name. The disputed domain name also reproduces the ONEY Trademarks in their entirety.

The generic Top-Level Domain (“gTLD”) “.online” is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the disputed domain name is identical to the ONEY BANK Trademark and confusingly similar to the ONEY Trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 that 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. 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.

Nothing in the record indicates that the Respondent is affiliated with the Complainant or that the Complainant has authorized the Respondent to register the disputed domain name or use the Trademarks. The Registrar-disclosed name of the Respondent bears no resemblance to the disputed domain name, and there is no evidence that the Respondent has been commonly known by the disputed domain name. [WIPO Overview 3.1](#), section 2.3. Nor does the record contain any evidence of use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services.

Moreover, the disputed domain name is identical to the ONEY BANK Trademark, which also corresponds to the Complainant’s corporate name. Such composition carries a high risk of implied affiliation with the Complainant and cannot constitute fair use. [WIPO Overview 3.1](#), section 2.5.1.

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.

The registration of the Trademarks predates the registration of the disputed domain name by several years. The term “oney” has no apparent meaning, and the disputed domain name combines it with the term “bank”, which corresponds to the Complainant’s activities and forms a part of its Trademarks, so as to reproduce exactly the ONEY BANK Trademark and the Complainant’s corporate name. The Respondent is, moreover, purportedly located in France, where the Complainant has its registered office and conducts its business. In these circumstances, and without any explanation from the Respondent, the Panel finds that the Respondent

more likely than not knew of the Complainant and of the Trademarks when registering the disputed domain name, and targeted them. [WIPO Overview 3.1](#), section 3.2.2.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3.

Having reviewed the available record, the Panel notes (i) the distinctiveness of the ONEY Trademarks, (ii) the composition of the disputed domain name, which is identical to the ONEY BANK Trademark and to the Complainant's corporate name, and (iii) the failure of the Respondent to reply to the Complainant's cease-and-desist letter and to submit a Response, and the absence of any evidence of actual or contemplated good-faith use. The Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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

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 <oneybank.online> be transferred to the Complainant.

/Elise Dufour/

Elise Dufour

Sole Panelist

Date: September 16, 2026