

ADMINISTRATIVE PANEL DECISION

BPCE v. ginese ponti, p.e labeller

Case No. D2026-3647

1. The Parties

The Complainant is BPCE, France, represented by KALLIOPE Law Firm, France.

The Respondent is ginese ponti, p.e labeller, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <groupebpce.com> (the "Domain Name") is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 14, 2026. On August 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 14, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (User #74a78cd7 Privacy, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 17, 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 August 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 August 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 7, 2026. The Respondent sent an email to the Center on August 18, 2026 but did not submit a formal response. Accordingly, the Center notified the Respondent's default on September 8, 2026.

The Center appointed Ian Lowe as the sole panelist in this matter on September 9, 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 joint stock company acting as the central institution responsible for the two banking networks Banques Populaires and Caisses d'Epargne with its head office in Paris, France. It is one of the largest banking groups in France and has traded under the mark BPCE since the merger of the two banks in 2009. The Complainant has 105,000 employees serving a total of 36 million customers.

The Complainant is the proprietor of numerous registered trademarks in respect of BPCE, including France trademark number 3653852 BPCE registered on November 6, 2009; European Union trademark number 008375842 BPCE registered on January 12, 2010; and United States trademark number 5743541 stylized word mark GROUPE BPCE and device registered on May 7, 2019.

The Complainant and its subsidiaries operate websites using domain names including <bpce.fr>, <groupebpce.fr> and <groupebpce.com>.

The Domain Name was registered on August 4, 2026. Attempts by the Panel to access the website at the Domain Name provoke a warning that there is a threat on the website comprising malicious software. The Complainant has adduced evidence that at the time of filing of the Complaint, the Domain Name resolved to a parking page comprising dynamic links to webpages of pay-per-click ("PPC") links to a number of third-party websites. In addition, the Complainant has adduced evidence that the Domain Name is configured with active Mail Exchange (MX) records.

5. Parties' Contentions

A. Complainant

The Complainant contends that the Domain Name is identical or confusingly similar to its BPCE and GROUPE BPCE trademarks (the "Marks"), that the Respondent has no rights or legitimate interests in respect of the Domain Name, and that the Respondent registered and is using the Domain Name in bad faith.

B. Respondent

The Respondent's email to the Center on August 18, 2026 was from an email address [***]@pelabeller.com. It invited the Center to access large documents through a provided link. The Center responded that it was not able to accept documents via a link and invited the apparent Respondent to file documents as attachments to emails not exceeding 10MB in size. The Respondent made no further communication and did not reply to the Complainant's contentions.

6. Discussion and Findings

For this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

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 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.

Ignoring the generic Top-Level Domain ".com", the Domain Name comprises the entirety of the mark GROUPE BPCE with the addition of a letter "l" between "groupe" and "bpce". Further, the Domain Name comprises the entirety of the mark BPCE with the addition of the word "groupe" meaning "group" in the French language and the letter "l". The Panel finds that the addition of this word and/or letter does not prevent a finding of confusing similarity between the Domain Name and the Complainant's marks. [WIPO Overview 3.1](#), section 1.8.

Accordingly, the Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights, and 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. Accordingly, 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.

The Domain Name is being used to resolve to a webpage of PPC links comprising in turn click through links to third party websites and to a website that now appears to comprise malicious software.

Having reviewed the available evidence, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the 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 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 Complainant's BPCE trademark is distinctive and well known and the typosquatting nature of the Domain Name — interposing an additional single letter between "groupe" and "bpce" — demonstrates that the Respondent had the Complainant's mark specifically in mind when registering the Domain Name.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names comprising typos) to a widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith for the purposes of the Policy. [WIPO Overview 3.1](#), section 3.1.4.

The Panel further notes that not only does an attempt to access the website at the Domain Name provoke a warning that there is a threat on the website comprising malicious software, but so too does an attempt to access the website at the domain name <pelabeller.com>, the domain name used for the email address of the apparent Respondent in its communication with the Center. Panels have held that the use of a domain name for illegitimate activity such as distributing malware, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. The configuration of active MX records for the Domain Name raises in addition the possibility of phishing activity.

In the absence of any right or legitimate interest in the Domain Name on the part of the Respondent, the obvious inference is that the Respondent registered and uses the Domain Name for commercial gain with a view to taking unfair advantage of the Complainant's rights in the Marks, whether through illegal activity or through sponsored links on the parking page to which the Domain Name resolved.

Having reviewed the record, the Panel finds the Respondent's registration and use of the Domain Name constitutes bad faith under the Policy.

Accordingly, the Panel finds that the Domain Name has been registered and is being used in bad faith. 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 Domain Name <groupeibpce.com> be transferred to the Complainant.

/Ian Lowe/

Ian Lowe

Sole Panelist

Date: September 23, 2026