ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

PANEL DECISION
BPCE v. zack levy
Case No. DEU2025-0026

1. The Parties

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

The Respondent is zack levy, France.

2. The Domain Names, Registry and Registrar

The Registry of the disputed domain names <bpce-infomail.eu> and <serviceinfo-bpce.eu> is the European Registry for Internet Domains ("EURid" or the "Registry"). The Registrar of the disputed domain names is Tucows.com Co.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 10, 2025. On October 13, 2025, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain names. On October 14, 2025, the Registry transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to the Complainant on October 15, 2025, providing the registrant and contact information disclosed by the Registry, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on October 16, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the "ADR Rules") and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the "Supplemental Rules").

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on October 20, 2025. In accordance with the ADR Rules, Paragraph B(3), the due date for Response was November 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 11, 2025.

The Center appointed Christophe Caron as the sole panelist in this matter on November 25, 2025. 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 ADR Rules, Paragraph B(5).

4. Factual Background

The Complainant is BPCE, a French joint stock company acting as the central institution responsible for the two banking networks Banques Populaires and Caisses d'Epargne. According to the Complainant, BPCE is the second largest banking group in France.

The Complainant owns numerous trademarks, including:

- the European Union trademark BPCE registered under number 8375875 on January 12, 2010, for services in class 36;
- the European Union trademark BPCE registered under number 8375842 on January 12, 2010, for services in class 36;
- he French trademark BPCE registered under number 3653852 on November 6, 2009, for products and services in classes 9, 16, 35, 36, 38, 41, and 45;

The Complainant also owns domain names incorporating its trademark BPCE, including:

- <bpce.fr> registered in 2008 ;
- <groupebpce.fr> and <groupebpce.com> registered in 2009.

The disputed domain names <bpce-infomail.eu> and <serviceinfo-bpce.eu> were registered on September 10, 2025. The disputed domain names currently do not resolve to an active website.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the ADR Rules for a transfer of the disputed domain names.

First, the Complainant states that the disputed domain names should be considered confusingly similar to its prior rights since the disputed domain names contain the trademarks in their entirety with different kinds of prefix and suffix as "serviceinfo" and "infomail" and the extension ".eu".

The Complainant asserts that the additions of the terms "serviceinfo" and "infomail" do not prevent a finding of confusing similarity since it has been admitted, regarding a domain name integrating BPCE, that the addition of a generic or descriptive term does not avoid the likelihood of confusion resulting from the inclusion of the entire distinctive sequence of trademarks in the disputed domain names. The Complainant also underlines that the extension ".eu" is typically disregarded for the purposes of the comparison with the Complainant's trademarks on the basis that it is a standard technical requirement for registration.

Thus, the Complainant contends that the public will undoubtfully believe that the disputed domain names belong to the Complainant and is an expansion of its services.

Secondly, the Complainant states that the Respondent has no right or legitimate interests in respect of the disputed domain names as the Respondent does not have (i) any trademark or trade name corresponding to the disputed domain names, and (ii) as the Complainant has not been authorized, licensed or otherwise permitted by the Complainant to register the disputed domain names and to use it. The Complainant also states that (iii) the disputed domain names are not used actively or for a bona fide offer of goods and

services. Considering these elements, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names.

Finally, the Complainant considers that disputed domain names were not registered or used in good faith by the Respondent as the BPCE trademarks are well-known in France and thus was chosen to generate a likelihood of confusion. The Complainant also states that the disputed domain names lead to inaccessible websites and constitute bad faith registration and use.

B. Respondent

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

6. Discussion and Findings

Due to the similarities of the ADR Rules and the Uniform Domain Name Dispute Resolution Policy (the "UDRP"), the Panel will also take into account the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("WIPO Overview 3.0"), and the cases decided under both the UDRP and the ADR Rules.

Pursuant to Paragraph B(11)(d)(1) of the ADR Rules, the Panel shall issue a decision granting the remedies requested by the Complainant in the event that the Complainant prove the following elements:

- that the disputed domain names are identical or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law and; either
- that the disputed domain names have been registered by the Respondent without rights or legitimate interest in the name; or
- that the disputed domain names have been registered or are being used in bad faith.

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

Paragraph B11(d)(1)(i) of the ADR Rules requires the Complainant to show that the disputed domain name is identical or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law.

The Complainant is the owner of several registered BPCE trademarks, including the trademarks listed in Section 4 above.

The BPCE trademark is entirely reproduced in the disputed domain names <bpce-infomail.eu> and <serviceinfo-bpce.eu>. WIPO Overview 3.0, section 1.7.

The addition of the terms "serviceinfo" and "infomail" does not prevent a finding of confusing similarity between the disputed domain names and the Complainant's trademarks. WIPO Overview 3.0, section 1.8.

The addition of the Top-Level Domain ".eu" can be disregarded in the assessment of the confusing similarity between the disputed domain names and the Complainant's trademarks. WIPO Overview 3.0, section 1.11.1.

The Panel therefore finds that the disputed domain names are confusingly similar to the registered BPCE trademarks in which the Complainant has rights.

Thus, the requirement of Paragraph B11(d)(1)(i) of the ADR Rules is satisfied.

B. Rights or Legitimate Interests

Paragraph B(11)(d)(1)(ii) of the ADR Rules provides that the Complainant must establish that the Respondent has no rights or legitimate interests in the disputed domain names.

The Panel notes that the Complainant has not authorized or licensed the Respondent to make any use of its trademarks. The Complainant does not have any trademark or trade name corresponding to the disputed domain names. The use of the disputed domain names can lead to the impression that the disputed domain names are affiliated or authorized by the Complainant, and cannot be regarded as bona fide, legitimate or fair.

Hence, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain names and that the requirement of Paragraph B(11)(d)(1)(ii) of the ADR Rules is also satisfied.

C. Registered or Used in Bad Faith

Paragraph B(11)(d)(1)(iii) of the ADR Rules provides that the Complainant must establish that the Respondent has registered or is using the disputed domain names in bad faith.

Regarding the reputation of BPCE trademarks in France, the Panel notes that the Respondent must have been aware of the Complainant's trademarks at the time of the registration of the disputed domain names. The Panel finds that the registration of the disputed domain names, which are confusingly similar to the Complainant's famous BPCE trademarks, by an unaffiliated entity can by itself create a presumption of bad faith. See section 3.1.4 of the WIPO Overview 3.0.

In addition, the Panel notes that the disputed domain names are not actively used by the Respondent because they resolve to inactive webpages. Based on the available record, the Panels finds that the non-use of the disputed domain names does not prevent a finding of bad faith under the doctrine of passive holding. See section 3.3 of the WIPO Overview 3.0.

For all these reasons, it appears to this Panel that the disputed domain names <bpce-infomail.eu> and <serviceinfo-bpce.eu> have been registered and are being used in bad faith.

The Panel therefore finds that Paragraph B(11)(d)(1)(iii) of the ADR Rules is also satisfied.

7. Decision

For the foregoing reasons, in accordance with Paragraph B(11) of the ADR Rules, the Panel orders that the disputed domain names <bpce-infomail.eu> and <serviceinfo-bpce.eu> be transferred to the Complainant[1].

The Complainant is established in France, in the European Union, and is thus eligible for registration according to Article 3 of Regulation (EU) 2019/517.

/Christophe Caron/
Christophe Caron
Sole Panelist
Date: December 15, 2025

[1] (i) The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.