ADMINISTRATIVE PANEL DECISION

BPCE v. pierre latour
Case No. DIO2026-0014

1. The Parties

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

The Respondent is pierre latour, France.

2. The Domain Name and Registrar

The disputed domain name <bpce.io> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 30, 2026. On March 31, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 1, 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 and contact information in the Complaint (Redacted for privacy, Super Privacy Service LTD c/o Dynadot). The Center sent an email communication to the Complainant on April 2, 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 April 2, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the "Policy"), the Rules for .IO Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for .IO 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 April 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 29, 2026.

The Center appointed Fabrice Bircker as the sole panelist in this matter on May 6, 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

According to uncontested elements in the case file, the Complainant, BPCE, is a French company acting as

the central institution responsible for the two banking networks Banques Populaires and Caisses d'Epargne.

It is one of the largest banking groups in France. Besides, with 105,000 employees and 36 million customers, the Complainant is also active in more than 40 countries.

The Complainant's activities are notably protected through the following trademark registrations:

- BPCE, French trademark registration No. 3653852 registered on November 6, 2009, duly renewed since then, and designating products and services of classes 9, 16, 35, 36, 38, 41, and 45,

- BPCE European Union trademark No. 8375875, registered on January 12, 2010, duly renewed since then, and designating services of class 36.

The disputed domain name, <bpce.io>, was registered on March 23, 2026.

It resolves to a parking page displaying commercial hypertext links notably promoting third-parties business software.

Besides, a mail exchange ("MX") server has been set up in relation to it.

Very little is known about the Respondent, except that, based on the information disclosed by the Registrar, he is apparently located in France.

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 BPCE trademark, because it incorporates it.

Besides, the Complainant argues that the Respondent has no rights or legitimate interests in respect with the disputed domain name, in substance because:

- the Respondent does not hold any trademark or tradename corresponding to the disputed domain name,

- the Complainant has never authorized the Respondent to register and/or use any domain name incorporating its trademarks.

Then, the Complainant contends that the disputed domain name has been registered and is being used in bad faith, notably because:

- it reproduces the BPCE prior trademark, which is well-known,

- its use in connection with a parking page featuring sponsored advertising links is intended to generate financial gain,

- an MX server has been set up in relation to the disputed domain name, thereby exposing the Complainant to a risk of phishing attack,

- the Respondent concealed his identity and provided the Registrar with inaccurate contact details when registering 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.[1]

Based on the available record (Annex 5 of the Complaint), the Panel finds that 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 BPCE mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Regarding the country code Top-Level Domain ("ccTLD") ".io" in the disputed domain name, it is well established that a ccTLD does not generally affect the assessment of a domain name for the purpose of determining identity or confusingly similarity with the complainant's trademark. WIPO Overview 3.1, section 1.11.1.

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.

[1] In light of the substantive and procedural similarities between the .IO Policy and the Uniform Domain Name Dispute Resolution Policy ("UDRP"), the Panel has cited decisions under the UDRP and the WIPO Overview 3.1, where appropriate.

Although the overall burden of proof in the ioDRP 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. 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.

Indeed, the Complainant contends that it has not given its consent to the Respondent to use its BPCE trademark for domain name registration or in any other manner.

Besides, there is nothing in the record of the case likely to indicate that the Respondent may be commonly known by the disputed domain name.

Moreover, the composition of the disputed domain name, in as far as it consists in the mere reproduction of the BPCE trademark, carries a high risk of implied affiliation and tends to suggest sponsorship or endorsement by the Complainant, whereas the Respondent is not connected to the latter. This is a further indication of the Respondent's lack of rights or of legitimate interests in the disputed domain name (WIPO Overview 3.1, section 2.5.1).

Lastly, the disputed domain name resolves to a parking page displaying commercial hypertext links.

Such use amounts to a commercial use. Panels have generally found that the use of a domain name to host a parked page comprising of pay-per-click links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant's mark or otherwise mislead Internet users. See WIPO Overview 3.1, section 2.9.

Here, given the fact that the disputed domain name is identical to the Complainant's prior trademark which is well-known in France (e.g., *BPCE v. WhoisGuard Protected, WhoisGuard, Inc. / Fransis Coarno, Danstic,* WIPO Case No. D2020-0967; *BPCE v. Pierre Agou Michel*, WIPO Case No. D2020-2361; *BPCE v. Emmanuel Asamoah*, WIPO Case No. D2022-3866; or *BPCE v. Seymi Lozano*, WIPO Case No. D2022-4185), the Panel finds that the Respondent is commercially using the disputed domain name to unduly capitalizing on the value of the Complainant's trademark.

Lastly, the Respondent has not replied to the Complainant's contentions.

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

C. Registered or Used in Bad Faith

In the third element assessment, the Policy does not require a conjunctive finding of registration and use in bad faith to be made out. Either registration in bad faith or use in bad faith, if found by the Panel, are sufficient for the third element to be established.

In the present case, the Panel notes that:

- the disputed domain name consists in the mere reproduction of the Complainant's BPCE trademark,

- this trademark predates the registration of the disputed domain name by more than 15 years,

- the BPCE trademark is well-known (see the UDRP decisions mentioned at section 6.B. above),

- according to the information provided by the Registrar, the Respondent is located in France, where the Complainant is particularly active on the market,

- the Respondent concealed his identity when registering the disputed domain name and, once disclosed, it appeared that the contact details he provided the Registrar with are inaccurate,

- the disputed domain name resolves to a parking page displaying commercial links,

- the presence of an MX record set up with the disputed domain name, allowing the Respondent to use it to send and receive emails,

- the Respondent has a clear absence of rights and remained silent during the procedure.

In view of these elements, the Panel finds that the Respondent registered the disputed domain name with the Complainant's trademark in mind, that is to say in bad faith.

Further, even though not required by the .IO Policy, the Panel also finds that the above-mentioned circumstances demonstrate bad faith use of the disputed domain name.

Indeed, as indicated at section 6.B. above, the use of the disputed domain name in connection with a parking page displaying sponsored links allows the Respondent to unduly capitalize on the reputation and goodwill of the BPCE trademark.

Lastly, the fact that the disputed domain name, which identically reflects the Complainant's trademark and is configured with an MX record, is in the hands of the Respondent who has a clear absence of rights and has provided false contact details, constitutes a significant risk for the Complainant, especially in light of the fact that fraudulent use of domain names and emails are particularly prevalent in the field of banking and financing.

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, <bpce.io> be transferred to the Complainant.

/Fabrice Bircker/
Fabrice Bircker
Sole Panelist
Date: May 18, 2026