

## ADMINISTRATIVE PANEL DECISION

Crédit Agricole S.A. v. Mauricio Sandoval  
Case No. DME2025-0002

### 1. The Parties

The Complainant is Crédit Agricole S.A., France, represented by Nameshield, France.

The Respondent is Mauricio Sandoval, Mexico.

### 2. The Domain Name and Registrar

The disputed domain name <credit-agricole.me> is registered with Gandi SAS (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 29, 2025. On January 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 29, 2025, the Registrar transmitted by email to the Center its verification response disclosing the registrant and contact information for the disputed domain name which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 4, 2025, 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 February 5, 2025.

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 February 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 3, 2025.

The Center appointed Zeynep Yasaman as the sole panelist in this matter on March 10, 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 Rules, paragraph 7.

#### **4. Factual Background**

The Complainant Crédit Agricole S.A., is one of the leaders in retail banking in France and one of the largest banks in Europe.

The Complainant is the owner of numerous registered CREDIT AGRICOLE trademarks, including:

- International trademark CREDIT AGRICOLE no. 1064647, registered on January 4, 2011, in classes 9, 16, 35, 36, 38 and 42.
- European Union trademark CREDIT AGRICOLE no. 006456974, registered on October 23, 2008, in classes 9, 16, 35, 36, 38 and 42.

The Complainant is also the owner of domain name <credit-agricole.com>, registered on December 31, 1999.

The disputed domain name <credit-agricole.me> was registered on January 28, 2025. The website associated with the disputed domain name cannot be accessed by the Panel as it does 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 Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that it owns several trademarks including the distinctive wording CREDIT AGRICOLE, and that the disputed domain name <credit-agricole.me> is identical to its trademark and its domain names associated.

The Complainant further argues that the Respondent is not known by the disputed domain name; that the Respondent is not affiliated with nor authorized by the Complainant. According to the Complainant, since the disputed domain name is not active, the Respondent did not use the disputed domain name and thus it has no demonstrable plan to use the disputed domain name. Therefore, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

With respect to the registration and use of the disputed domain name, the Complainant argues that given the distinctiveness of the Complainant's trademarks and reputation, it is inconceivable that the Respondent could have registered the disputed domain name without actual knowledge of the Complainant's rights in the trademark. The Complainant contends that it is not possible to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate. Moreover, the Complainant argues that the incorporation of a famous mark into a domain name, coupled with an inactive website, may be evidence of bad faith registration and use. In that regard, the Complainant asserts that the Respondent has registered and is using the disputed domain name in bad faith.

##### **B. Respondent**

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

## 6. Discussion and Findings

### A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the complainant to show that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

Where the complainant holds a nationally or regionally registered trademark or service mark, this *prima facie* satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 1.2.1). In the present case, the Panel notes that the Complainant owns several registered CREDIT AGRICOLE trademarks. Accordingly, the Complainant has established rights in a trademark or service mark for the purposes of the Policy.

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 3.0](#), section 1.7).

The disputed domain name <credit-agricole.me> reproduces in its entirety the Complainant’s CREDIT AGRICOLE trademark, which was found to be widely known by prior UDRP panels (see, e.g., *Credit Agricole S.A. v. Dick Weisz*, WIPO Case No. [D2010-1683](#); *Credit Agricole S.A. v. Brand Austin / Contact Privacy Inc. Customer 0142661580 / Contact Privacy Inc. Customer 0142661581*, WIPO Case No. [D2016-0676](#)). The Panel notes that the only difference between the disputed domain name and the Complainant’s trademarks is the addition of a hyphen between the words “credit” and “agricole” in the disputed domain name. According to the Panel, such an addition is insufficient to avoid the similarity.

Moreover, the applicable country-code Top-Level Domain, “.me” in the disputed domain name, is viewed as a standard registration requirement and as such, is disregarded under the first element confusing similarity test ([WIPO Overview 3.0](#), section 1.11.1). Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant’s trademarks for the purposes of the Policy.

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. These are as follows:

- (i) before any notice of the dispute, the respondent’s use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
- (ii) the respondent (as an individual, business, or other organization) has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or
- (iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

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 3.0](#), 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.

The Panel notes that, since the website associated with the disputed domain name is not active, the disputed domain name is not being used in connection with a *bona fide* offering of goods or services.

Moreover, the Respondent's identity does not correspond to the disputed domain name, and there is no evidence suggesting that the Respondent could be commonly known by the disputed domain name within the meaning of the Policy.

Furthermore, the Complainant has clearly established that the Respondent is neither affiliated with the Complainant nor authorized or licensed to use the CREDIT AGRICOLE trademark or register the disputed domain name. The Panel notes that the composition of the disputed domain name itself carries a risk of implied affiliation, given that it is confusingly similar to the Complainant's trademark. Such composition cannot constitute fair use as it suggests sponsorship or endorsement by the trademark owner ([WIPO Overview 3.0](#), 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:

- (i) circumstances indicating that Respondent has registered or has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the domain name; or
- (ii) that the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) that the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) that by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to the respondent's website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of respondent's website or location or of a product or service on respondent's website or location.

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 3.0](#), section 3.2.1).

Having reviewed the available record, the Panel notes that the Complainant's trademark enjoys a reputation. It has been established in previous UDRP decisions that the registration of a domain name incorporating a widely-recognized or well-known trademark by a third party who has no connection with the trademark is a

clear indication of bad faith (see *Pepsico, Inc. v. Domain Admin*, WIPO Case No. [D2006-0435](#); *Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#)). In light of this, the Panel concludes that the Respondent was aware of the Complainant's well-known CREDIT AGRICOLE trademark at the time of registration and that the disputed domain name was registered in bad faith.

Furthermore, although the disputed domain name does not resolve to an active website, panels applying the UDRP have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. Factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put ([WIPO Overview 3.0](#), section 3.3). In the present case, considering the reputation of the Complainant's trademark, the composition of the disputed domain name, and the Respondent's failure to submit a response, the Panel considers that the passive holding of the disputed domain name does not preclude a finding of bad faith under the Policy.

In addition, the Panel notes that the email address provided by the Respondent is not correct, which is a further indication of the bad faith of the Respondent in registering and using the disputed domain name.

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 <credit-agricole.me> be transferred to the Complainant.

/Zeynep Yasaman/

**Zeynep Yasaman**

Sole Panelist

Date: March 24, 2025