

ADMINISTRATIVE PANEL DECISION

BPCE v. Michel Jean Jacques
Case No. DNL2025-0028

1. The Parties

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

The registrant of the disputed domain name is Michel Jean Jacques, France (the “Respondent”).

2. The Domain Names and Registrar

The disputed domain names <groupbpce.nl> and <groupebpce.nl> are registered with SIDN through Namecheap, Inc.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 27, 2025. On August 28, 2025, the Center transmitted by email to SIDN a request for registrar verification in connection with the disputed domain names.

On August 29, 2025, SIDN 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 September 1, 2025, providing the information disclosed by SIDN, and inviting the Complainant to amend the Complaint in this light. The Complainant filed an amended Complaint on September 1, 2025.

The Center verified that the Complaint as amended satisfies the formal requirements of the Dispute Resolution Regulations for .nl Domain Names (the “Regulations”).

In accordance with the Regulations, articles 5.1 and 16.4, the Center formally notified the Respondent of the Complaint and the proceedings commenced on September 3, 2025. In accordance with the Regulations, article 7.1, the due date for Response was September 23, 2025. The Center did not receive any response. Accordingly, the Center notified the Respondent’s default on September 24, 2025.

The Center appointed Moïra Truijens as the panelist in this matter on October 9, 2025. The Panel finds that it was properly constituted. The Panelist has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Regulations, article 9.2.

4. Factual Background

The Complainant is BPCE, a French-based financial company, offering banking and insurance services. It is the owner of various trademark registrations for BPCE, amongst which European Union Trademark with No. 8375842, registered on June 19, 2009, in class 36.

The disputed domain names <groupbpce.nl> and <groupebpce.nl> were registered on July 10, 2025, and July 9, 2025, respectively, through Namecheap, Inc. The registrant is listed as Michel Jean Jacques, France.

The Complainant also operates official domain names incorporating its mark, including <bpce.fr>, <groupebpce.fr>, and <groupebpce.com>, which resolve to websites presenting the Complainant's financial services.

At the time of filing <groupebpce.nl> resolved to a pay-per-click ("PPC") website displaying links related to banking services, while <groupbpce.nl> resolved to a registrar parking page, which currently is still the case. Both disputed domain names had active mail-exchange (MX) records.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain names are identical or confusingly similar to its BPCE trademark. The disputed domain names fully incorporate the Complainant's trademark, with only the addition of the word "group" or "groupe", which does not avoid confusion. The Complainant submits that the BPCE mark is well known in France and internationally in the banking and financial sectors.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Respondent is not affiliated with the Complainant, has not been authorized to use the BPCE mark, and is not commonly known by the disputed domain names. The Complainant further contends that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain names, as <groupebpce.nl> resolves to a PPC page containing links to banking services, and <groupbpce.nl> is parked by the registrar.

The Complainant argues that the disputed domain names were registered and are being used in bad faith. Given the reputation of the BPCE mark, the Respondent must have been aware of the Complainant's rights at the time of registration. The Complainant notes that the disputed domain names reproduce its well-known corporate name and trademarks, and that the use of a PPC website indicates an intent to profit from Internet user confusion. The activation of MX records also suggests potential use for fraudulent email activities. The Complainant concludes that the Respondent's registration and use of the disputed domain names constitute bad faith within the meaning of article 2.1(c) of the Regulations.

B. Respondent

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

6. Discussion and Findings

Pursuant to article 2.1 of the Regulations the Complainant must prove each of the following three elements:

- a) the disputed domain name is identical or confusingly similar to (I) a trademark, trade name or geographical indication protected under Dutch law, in which the Complainant has rights, or (II) a personal name registered in the General Municipal Register (Gemeentelijke Basisadministratie) of a municipality in the Netherlands, or the name of a Dutch public legal entity or the name of an association or foundation registered in the Netherlands under which the Complainant undertakes public activities on a permanent basis; and
- b) the Respondent has no rights to or legitimate interests in the disputed domain name; and
- c) the disputed domain name has been registered or 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 test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"),¹ section 1.7.

The Complainant has established rights in the trademark BPCE, which predates the registration of the disputed domain names.

The disputed domain names <groupbpce.nl> and <groupebpce.nl> each reproduce the Complainant's BPCE mark in its entirety. The addition of the term "groupe" (French for "group") or "group" does not prevent a finding of confusing similarity, as the BPCE mark remains clearly recognizable - see "[WIPO Overview 3.0](#)" section 1.8).

Additionally, the country code Top-Level Domain ("ccTLD") ".nl" is typically disregarded under the confusing similarity test, since it is a technical registration requirement - see [WIPO Overview 3.0](#), section 1.11.1.

The Panel therefore finds that the disputed domain names are confusingly similar to the Complainant's trademark and that the Complainant has thus established the first element of article 2.1(a) of the Regulations.

B. Rights or Legitimate Interests

A complainant bears the burden of prima facie showing that the respondent has no rights to or legitimate interests in the domain name. If a complainant succeeds in making a prima facie case, the burden of production shifts to the respondent, which will then have to come forward with appropriate allegations or evidence demonstrating a right to or legitimate interests in the domain name (see *Uitvaartverzorging Twan Schreurs V.O.F. v. Patrik Muller*, WIPO Case No. [DNL2024-0035](#)).

¹ In view of the fact that the Regulations are to an extent based on the Uniform Domain Name Dispute Resolution Policy ("UDRP"), it is well established that both cases decided under the Regulations and cases decided under the UDRP, and therefore [WIPO Overview 3.0](#), may be relevant to the determination of this proceeding (see, e.g., *Aktiebolaget Electrolux v. Beuk Horeca B.V.*, WIPO Case No. [DNL2008-0050](#)).

Article 3.1 of the Regulations provides circumstances in which such rights or legitimate interests to a domain name may be demonstrated. These circumstances include: i) before having any notice of the dispute, the registrant made demonstrable preparations to use the domain name (or a name corresponding to the disputed domain name) in connection with a bona fide offering of goods or services; ii) the registrant, as an individual, business or other organization being commonly known by the domain name; and iii) respondent is making legitimate noncommercial use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish or otherwise damage the relevant trademark, trade name, personal name, name of a Dutch public legal entity or name of an association or foundation located in the Netherlands.

Having studied the file, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent did not file a response, and thus has not rebutted the Complainant's arguments and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy. The Panel finds further proof in the fact that the website associated with <groupebpce.nl> resolves to a PPC page featuring links related to financial and banking services, while <groupbpce.nl> resolves to a registrar parking page. Such use does not constitute a legitimate noncommercial or fair use under the Regulations.

The Panel thus concludes that the Complainant has met the second requirement of article 2.1(b) of the Regulations.

C. Registered or Used in Bad Faith

In accordance with article 3.2 of the Regulations, the Complainant has to show that the disputed domain names were registered or are being used in bad faith. In light of its considerations under Section 6.B, the facts as presented by the Complainant, and the lack of a response by the Respondent, the Panel finds that this is so.

First of all, the Respondent registered two domain names that reproduce this mark identically, accompanied by a descriptive term ("groupe" and "group" respectively) associated with the Complainant's corporate identity. The Panel finds it inconceivable that the Respondent was unaware of the Complainant or its rights when registering the disputed domain names. This is enhanced by the fact that the Respondent is an individual based in France, where the trademark is well known.

Secondly, the Panel finds it relevant that the Respondent did not include the correct address details when registering the disputed domain names, but instead used the business address of the Complainant in France.

In addition, the use of <groupebpce.nl> for a PPC site demonstrates an intent to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark, while <groupbpce.nl> resolves to a registrar parking page.

Lastly, the activation of MX records indicates the possibility that the disputed domain names could be used for deceptive or fraudulent purposes which in the field of banking services, is a key issue given the sensitive nature of the data processed.

The Complainant has thus established the third element of article 2.1 of the Regulations.

7. Decision

For all the foregoing reasons, in accordance with articles 1 and 14 of the Regulations, the Panel orders that the disputed domain names <groupbpce.nl> and <groupebpce.nl> be transferred to the Complainant.

/Moira Truijens/

Moira Truijens

Panelist

Date: October 23, 2025