

ADMINISTRATIVE PANEL DECISION

Bank of Cyprus Public Company Limited v. Angelina Genova
Case No. DRO2025-0002

1. The Parties

The Complainant is Bank of Cyprus Public Company Limited, Cyprus, represented by Ubilibet, Spain.

The Respondent is Angelina Genova, Romania.

2. The Domain Name and Registrar

The disputed domain name <bankofcyprus.ro> is registered with ROTLD (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 28, 2025. On March 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 31, 2025, 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 (PRIVACY PROTECTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 31, 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 April 1, 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 April 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 22, 2025.

The Center appointed Federica Togo as the sole panelist in this matter on May 1, 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

It results from the Complainant's undisputed allegations that it was founded in 1899 and is the largest financial institution in Cyprus. It offers a comprehensive range of financial services, including retail and business banking, credit cards, mortgage lending, corporate banking, insurance, brokerage, private banking, wealth management, investment management, and investment banking. Headquartered in Cyprus, the Complainant primarily serves the local market while maintaining a strategic presence in several international markets, including the United Kingdom, Greece, and Russia.

The Complainant is the registered owner of several trademarks consisting and or containing BANK OF CYPRUS, e.g., European Union trademark registration no. 003556611, registered on April 14, 2005 for goods and services in classes 9, 16, 35 and 36.

The disputed domain name was registered on December 25, 2018. In addition, the undisputed evidence provided by the Complainant proves that the disputed domain name resolved to a website displaying gambling contents and reproducing without authorization the dominant feature of the Complainant's registered mark.

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 identical to the Complainant's trademark-protected tradename. Therefore, it logically follows from this observation that the disputed domain name is fully capable of being confusable with the Complainant's trademark.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, it has not authorized, licensed, or allowed the Respondent or any third party to use its trademarks through the disputed domain name <bankofcyprus.ro>, neither the way it's used on the domain associated website, nor in any other way that would confer validity or legitimacy upon such usage. In addition, the Complainant states that until March 13, 2025, the disputed domain name displayed a page that reproduced and replicated the Complainant's trademark-protected logo, closely mimicking the appearance and feel of the Complainant's corporate website. The page hosted a Romanian-language blog that resembled the Complainant's corporate image and was dedicated to gambling. It provided readers with information about Romania's online casino market and the latest online gaming offers. This page was used to provide information and engage in commercial activities that simulated the Complainant's operations. On March 13, 2025, the content on the disputed domain name was blocked following a cease-and-desist action taken by the Complainant with the Respondent's internet service provider. To date, the Respondent has not contested the blockage nor provided any arguments to support its claim to the disputed domain name. However, the Complainant failed to provide evidence of such cease-and-desist letter.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, until the takedown executed by the Complainant, the disputed domain name displayed a page that simulated the Complainant's trademark and business to operate as if it was the Complainant, with lucrative intentions from users and advertisers. Therefore, it is implausible that the Respondent had any intention other than to impersonate the Complainant and replicate its business operations. The Respondent can only be acting in bad faith and with the principal interest of impersonating the Complainant and its business, to give the impression of being a lawful business and use of the Complainant's trademarks, with the clear aim of having a commercial benefit from the proximity to and ability to create confusion of the disputed domain name supporting the Complainant's trademarks.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”. Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that each disputed domain name be transferred or cancelled:

- (i) the disputed 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 disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

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 Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

In addition, the Panel finds that the dominant feature of the relevant mark (i.e., “Bank of Cyprus”) is entirely included and therefore recognizable within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

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.

Moreover, the Panel notes that the disputed domain name contains the dominant feature of the Complainant's registered relevant mark and company name (i.e., "Bank of Cyprus"), and that more likely than not, this trademark is not a trademark that one would legitimately adopt as a domain name unless to suggest an affiliation with the Complainant. The Panel finds it most likely that the Respondent registered the disputed domain name containing the Complainant's trademark, with the intention to take advantage of the Complainant's reputation and with the intent to mislead Internet users, reproducing without authorization the dominant feature of the Complainant's registered mark.

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.

In the present case, the Panel notes that the disputed domain name contains the dominant feature of the Complainant's registered relevant mark and company name (i.e., "Bank of Cyprus"); in addition, it results from the Complainant's documented allegations that the disputed domain name resolved to a website displaying gambling contents and reproducing without authorization the dominant feature of the Complainant's registered mark. For the Panel, it is therefore evident that the Respondent positively knew the Complainant's mark. Consequently, and in the absence of any evidence to the contrary, the Panel is convinced that the Respondent also knew that the disputed domain name included the Complainant's trademark when it registered the disputed 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 3.0](#), section 3.2.1.

In this regard, the further circumstances surrounding the disputed domain name's registration and use confirm the findings that the Respondent has registered and is using the disputed domain name in bad faith:

- (i) the nature of the disputed domain name (i.e., a domain name identical to the dominant feature of the Complainant's registered mark and company name (i.e., "Bank of Cyprus");
- (ii) the content of the websites to which the disputed domain name resolved, displaying gambling contents and reproducing the dominant feature of the Complainant's registered mark without authorization;
- (iii) a clear absence of rights or legitimate interests coupled with no response explaining the Respondent's choice of 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 <bankofcyprus.ro> be transferred to the Complainant.

/Federica Togo/

Federica Togo

Sole Panelist

Date: May 13, 2025