Decision for dispute CAC-UDRP-101467

Case number	CAC-UDRP-101467
Time of filing	2017-03-21 09:10:56
Domain names	CREDIT-AGRICOLE-L1.COM, CREDIT-AGRICOLE-L2.COM, CREDIT-AGRICOLE-L3.COM, CREDIT-AGRICOLE-L4.COM, CREDIT-AGRICOLE-L5.COM, CREDIT-GERICOLE-L6.COM

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	CREDIT AGRICOLE S.A.

Complainant representative

Organization	Nameshield (Maxime Benoist)

Respondent

Name	NICOLE LEROUX

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain names.

IDENTIFICATION OF RIGHTS

The Complainant states and provides evidentiary documentation that it is, among others, the owner of the CREDIT AGRICOLE International trademark no. 1064647 which was registered on 04.1.2011.

The disputed domain names <CREDIT-AGRICOLE-L1.COM>, <CREDIT-AGRICOLE-L2.COM>, <CREDIT-AGRICOLE-L3.COM>, <CREDIT-AGRICOLE-L4.COM>, <CREDIT-AGRICOLE-L5.COM>, and <CREDIT-GERICOLE-L6.COM> (the disputed domain names) were all registered by the Respondent on 10.3.2017 between 5:50 and 5:58 hrs. with the Registrar Tucows Domains.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

The Complainant is the one of largest French and European retail bank, exclusively using the CREDIT AGRICOLE trademark for a several banking services as: insurance management asset, leasing and factoring, consumer credit, corporate and

investment. It owns several trademarks and domain names composed or consistent in the CREDIT AGRICOLE words, and has reported a number of successful domain names disputes.

The Complainant asserts that the disputed domain names are confusingly similar to its registered trademarks, as they are merely made of a typo squatting of the trademark CREDIT AGRICOLE by displaying the misspelling GERICOLE instead of AGRICOLE, and the addition of the letter and number L6 at the end of the disputed domain name separated by a hyphen.

The Complainant argues that the Respondent is not affiliated with nor authorized by CREDIT AGRICOLE S.A. in any way and is not related in any way to its business. The Complainant does not carry out any activity for, nor has any business with the Respondent and neither licence nor authorization has been granted to the Respondent to make any use of the Complainant's trademarks CREDIT AGRICOLE®, or apply for registration of the disputed domain names by the Complainant. The Complainant further contends that the disputed domain names were used to phishing activities and that there is a pattern of conduct by the Respondent, registering disputed domain names to misdirect and mislead the Complainants' customers. The Complainant summarizes that the Respondent has no rights or legitimate interest on the disputed domain name and that it has registered the domain name only in order to create a likelihood of confusion and trying to generate commercial gain.

Finally, the Complainant asserts that the Respondent has registered the disputed domain names with full knowledge of the Complainant's trademarks in an effort to take advantage of the Complainant's goodwill, and to unduly benefit from creating a diversion of the internet users of the Complainant by pretending to be the official website of the Complainant. The Complainant contends that the Respondent is attempting to pass itself off as the Complainant by using its registered trademarks CREDIT AGRICOLE® in violation of Policy. The Complainant therefore finds that the Respondent has registered the disputed domain names in bad faith and has used the disputed domain names to attract Internet users on its website by creating a likelihood of confusion with the Complainant's trademark as to source, affiliation or endorsement, in the meaning of paragraph 4(b)(iv) of the Policy, and thus acted in bad faith.

PARTIES CONTENTIONS

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are identical or confusingly similar to a trademark or service mark in which the complainant has rights (within the meaning of paragraph 4(a)(i)of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain names (within the meaning of paragraph 4(a)(ii)of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii)of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

The Panel accepts prima facie arguments and submissions provided by the Complainant that the disputed domain names have been registered and used in bad faith. Addiction of L1-L6 suffixes are not able to differentiate the domain names from the corresponding trademarks which enjoy reputation in France (Respondent's country) and in Europe. Lack of any Response and any arguable fair use having met during websites navigation, the Panel concludes that the domain names have been

registered in order to abuse of Complainant's trademarks.

The domain names are not currently used for an active website.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **CREDIT-AGRICOLE-L1.COM**: Transferred
2. **CREDIT-AGRICOLE-L2.COM**: Transferred
3. **CREDIT-AGRICOLE-L3.COM**: Transferred
4. **CREDIT-AGRICOLE-L4.COM**: Transferred
5. **CREDIT-AGRICOLE-L5.COM**: Transferred
6. **CREDIT-GERICOLE-L6.COM**: Transferred

PANELLISTS

Name	**Roberto Manno**

DATE OF PANEL DECISION 2017-05-02

Publish the Decision