Decision for dispute CAC-UDRP-101596

Case number	CAC-UDRP-101596
Time of filing	2017-07-10 10:44:36
Domain names	amundiuk.com

Case administrator

Name	Aneta Jelenová (Case admin)

Complainant

Organization	AMUNDI

Complainant representative

Organization	Nameshield (Maxime Benoist)

Respondent

Name	Lukas Kadys

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other pending or decided legal proceedings relating to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant uses the domain name <amundi.com> registered in 2004 and is connected to the official site of the Complainant and is also the owner of international trade mark registration 1024160 for the name AMUNDI in class 36, priority June 4, 2009. The Complainant also owns several more domain names consisting in this distinctive wording AMUNDI with terms of its activity, such as <amundi-assetmanagement.com>, <amundi-capitalinvestment.com> or <amundi-funds.com>.

FACTUAL BACKGROUND

The Complainant is a company with its legal seat in Paris, France and has offered asset management services under its name AMUNDI registered since 2009.

The disputed domain name <amundiuk.com> was registered on June 9, 2017, and has not been used.

PARTIES CONTENTIONS

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is 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 name (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 name has been registered and is 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 finds that the disputed domain name is confusingly similar to the Complainant's AMUNDI trade mark including it in its entirety and merely adding the geographical term 'UK' and the gTLD .com which are not sufficient to avoid such a finding and may lead consumers to think the disputed domain name is associated with the UK branch of the Complainant. Amundi is a name with no generic meaning in English or French and Internet searches bring up a number of references to the Complainant.

The Respondent has made no use of or demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods and services, is not making a legitimate non commercial or fair use of it, is not commonly known by it and has no authorisation from the Complainant to use the AMUNDI name. In the absence of a response from the Respondent or any other information to the contrary the Panel concludes that the Respondent has no rights and legitimate interests in respect of the disputed domain name.

The disputed domain name has not been used. Inactive use of a domain name containing the well known mark of a Complainant has been widely held to amount to registration and use in bad faith.

The Panel is satisfied that Complainant has satisfied all the elements of the Policy and orders the disputed domain name be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **AMUNDIUK.COM**: Transferred

PANELLISTS

Name	**Dawn Osborne**

DATE OF PANEL DECISION 2017-08-10

Publish the Decision