# Decision for dispute CAC-UDRP-106227

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| Case number | CAC-UDRP-106227 |
| Time of filing | 2024-02-07 09:57:17 |
| Domain names | buddyunicredit.com |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | Unicredit S.p.A. |

## Complainant representative

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| Organization | Convey srl |

## Respondent

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| Name | pinar kumru |

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 name.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of different trademarks, including International trademarks UNICREDIT with registration number 897567 of August 7, 2006, designated for, inter alia, Türkiye, and European Union stylized trademark BB BUDDY BANK POWERED BY UNICREDIT (with a conspicuous display of BUDDY BANK) with registration number 18286209, registered on January 4, 2021 (hereinafter the "UNICREDIT trademark" and BUDDY BANK trademark, respectively).

FACTUAL BACKGROUND

The Complainant is an Italian global banking and financial services company and is the third largest banking group in Europe, with a network spanning 50 markets in 18 countries, with more than 8,500 branches and over 147,000 employees. In 2018, the Complainant launched “Buddy Bank” in Italy as a "mobile only" bank, with currently 410,000 dedicated customers.

The Respondent registered the disputed domain name on December 5, 2023. The disputed domain name redirects to a webpage of domain name broker Dan.com where it is offered for sale for an amount of USD 2,850.

PARTIES CONTENTIONS

Complainant´s contentions are summarized above.

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

1. The Panel finds that the disputed domain name is confusingly similar to the UNICREDIT trademark and the BUDDY BANK trademark, as the UNICREDIT trademark has been taken in its entirety in the disputed domain name, together with the first (distinctive) part of the BUDDY BANK trademark.
2. The Panel finds that the Complainant successfully submitted prima facie evidence that the Respondent was not commonly known under the disputed domain name, was not licensed by or an authorized dealer of the Complainant, and has not been authorized by the Complainant to use the UNICREDIT trademark and BUDDY BANK trademark in the disputed domain name. The disputed domain name resolves to a website of a domain broker where it is offered for sale, which, in absence of an explanation which the Respondent did not offer, does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name.
3. Like several other panels (e.g., UniCredit S.p.A. v. Registration Private / Guido Eugenio Ramella, WIPO Case No. D2014-1933; UniCredit Spa v. Thomas Link, WIPO Case No. DCH2017-0008; CAC-UDRP-104414; and CAC-UDRP-102677) the Panel considers the UNICREDIT trademark well-known. As the “Buddy bank” was launched by the Complainant, and prominently displays “powered by Unicredit” on its homepage at https://www.buddybank.com/, the Panel considers it likely that the Respondent had the UNICREDIT trademark and the BUDDY BANK in mind when registering the disputed domain name. Further, the Panel is satisfied that the Respondent, immediately or shortly after registration of the disputed domain name, offered the disputed domain name for sale for valuable consideration in excess of the out-of-pocket costs directly related to the disputed domain name which constitutes the use of the disputed domain name in bad faith (cf. paragraph 4(b)(i) of the Policy). Consequently, the Respondent registered and used the disputed domain name in bad faith.

## FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **buddyunicredit.com**: Transferred

## PANELLISTS

| Name | **Alfred Meijboom** |
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DATE OF PANEL DECISION 2024-03-01

Publish the Decision