# Decision for dispute CAC-UDRP-106965

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| Case number | CAC-UDRP-106965 |
| Time of filing | 2024-10-21 08:33:52 |
| Domain names | bforbk-connect.com |

## Case administrator

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

## Complainant

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| Organization | BFORBANK |

## Complainant representative

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| Organization | NAMESHIELD S.A.S. |

## Respondent

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| Name | Romain Souplet |

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 BFORBANK - the word type EUTM (Reg. No. 8335598), registered since June 2, 2009, and duly renewed.

FACTUAL BACKGROUND

The Complainant, BFORBANK, an online bank launched in October 2009 by the Crédit Agricole Regional Banks. BFORBANK offers daily banking, savings, investment and credit (consumer and real estate) services mainly in France.

The Complainant owns a number of domain names, including the same distinctive wording BFORBANK, such as the domain name <bforbank.com>, registered since January 16, 2009.

The disputed domain name <bforbk-connect.com> was registered on October 14, 2024, and is inactive.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.
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 agrees with the Complainant that the disputed domain name <bforbk-connect.com> is confusingly similar to the Complainant's trademark BFORBANK. The evidence adduced by the Complainant shows the extensive use of its trademark BFORBANK in France and the Complainant enjoys a high degree of reputation. The Panel agrees that merely omitting the letters “AN” and adding hyphen with the generic term "connect" does not set aside the confusing similarity between the disputed domain name and the Complainant's trademark. According to the Merriam-Webster Online Dictionary, the abbreviation "BK" could reasonably be interpreted as shorthand for "BANK." The inclusion of "connect" specifically heightens the likelihood of confusion, as it appears to target the complainant's type of services, i.e. online banking. Therefore, such addition does not negate, but rather amplify, the appearance of confusing similarity.

The Panel acknowledges that the Complainant presented prima facie evidence that the Respondent is not sponsored by or affiliated with Complainant in any way. Furthermore, Complainant has not licensed, authorized, or permitted Respondent to use Complainant’s trademark in any manner, including in domain names. The Respondent's name (Romain Souplet) does not resemble the disputed domain name in any manner. Finally, Respondent’s use of the disputed domain name does not constitute a bona fide offering of goods or services or a legitimate non-commercial or fair use (Policy Para. 4(c)). As no administratively compliant response has been provided to the Panel and the prima facie evidence was not challenged by the Respondent, the Panel concludes that the Respondent, when it registered the disputed domain name, meant nothing else except the Complainant's trademark BFORBANK (see WIPO Overview 3.0, para. 3.1.1).

Previous UDRP panels have also consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. Having regard to (i) the high degree of distinctiveness and reputation of the Complainant’s mark, (ii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the Respondent’s use of e-mail service that does not require personal information to create an account and (iv) the implausibility of any good faith use to which the disputed domain name may be put, the panel has come to the conclusion that the disputed domain was used in bad faith (see WIPO Overview 3.0, para. 3.3).

Accordingly, the Panel finds that the disputed domain name was both registered and used in bad faith.

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

Accepted

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

1. **bforbk-connect.com**: Transferred

## PANELLISTS

| Name | **Darius Sauliūnas** |
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DATE OF PANEL DECISION 2024-11-20

Publish the Decision