Decision for dispute CAC-UDRP-107438

Case number	CAC-UDRP-107438
Time of filing	2025-03-27 09:19:37
Domain names	amundi-ltd.com

Case administrator

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

Complainant

Organization	AMUNDI ASSET MANAGEMENT

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Maxim

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

According to the submitted evidence, the Complainant owns the following Trademark:

- International trademark for AMUNDI (word mark), Reg. No. 1024160, registered on September 24, 2009, in IC 36, and in force until September 24, 2029.

FACTUAL BACKGROUND

The Complainant is a well-recognized European asset manager with offices in Europe, Asia-Pacific, the Middle East, and the Americas. The Complainant has over 100 million retail, institutional, and corporate clients, and ranks in the top 10 globally.

Apart from the AMUNDI International trademark, the Complainant also owns the domain name <amundi.com>, registered and used since August 26, 2004.

According to the evidence submitted before the Panel, the disputed domain name <amundi-ltd.com> was registered on March 24, 2025, by the time of filing the disputed domain name resolved to an inactive website with no content on it. For the time of this Decision, redirects to an active website for trading activity. i.e.: https://workspace.amundi-ltd.com/.

The Panel notes that AMUNDI is a well-known trademark, which status, has been also recognized by previous UDRP panels, see Amundi Asset Management v. QINGRU WU, WIPO Case No. DCO2023-0063; Amundi Asset Management v. Leo Najman, WIPO Case No. D2022-1931; Amundi Asset Management v. Thierry Barboure, CAC-UDRP Case No. 103346.

PARTIES CONTENTIONS

Response

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

Complainant Contentions:

In summary, the Complainant contends that:

- The disputed domain name is confusingly similar to the trademark AMUNDI; the disputed domain name contains the Complainant's trademark AMUNDI in its entirety plus the addition of the letters "ltd", which is not sufficient to avoid the likelihood of confusion between the disputed domain name and the Complainant.
- The Respondent has no rights or legitimate interests in respect of the disputed domain name given that the Respondent is not known as the disputed domain name; that the Respondent is not related in any way to the Complainant's business, nor affiliated or authorized in any way to use the Complainant's trademark AMUNDI; that the disputed domain name resolves to an error page, which confirms that Respondent has no demonstrable plan to use the disputed domain name.
- The disputed domain name has been registered and is being used in bad faith, given that AMUNDI is a well-known trademark, inferring with it, that the Respondent has registered it in full knowledge of the Complainant; that the disputed domain name resolves to an error website, demonstrating with it, no activity in respect of the disputed domain name, making impossible to conceive of any plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is 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

Concerning the **First UDRP Element**, the Complainant has shown Trademark rights over the term AMUNDI since 2009, which significantly precedes the registration of the disputed domain name.

The disputed domain name is composed of the Complainant's Trademark AMUNDI and the term "ltd" which does not prevent a finding confusing similarity between the disputed domain name and the Complainant's Trademark under the First Element of the

Policy, which is “different to the question of “likelihood of confusion” under trademark law.” (see Stripe, Inc. v. Jimmy Lee, WITHMOMENT LTD, WIPO Case No. D2024-4294; WIPO Overview 3.0, section 1.7 and section 1.8).

As for the applicable generic Top-Level Domain (“gTLD”) “.com”, it is well established that such element may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark, as it is a technical requirement of registration. WIPO Overview 3.0, section 1.11.1.

Therefore, the disputed domain name <**amundi-ltd.com**> is confusingly similar to the Complainant’s AMUNDI trademark.

Concerning the **Second UDRP Element**, to this Panel it is clear that:

- the Respondent registered the disputed domain name on March 24, 2025, meaning very well after (16 years at least) the Complainant acquired its trademark Rights over the term AMUNDI on September 24, 2009;
- the Complainant has never granted the Respondent any authorization, right, or license to use the AMUNDI trademark including as a domain name, nor is the Respondent affiliated to the Complainant in any form or has endorsed or sponsored the Respondent or the Respondent's website;
- there is no evidence that the Respondent corresponds to or has become commonly known by the disputed domain name, including by the WhoIs information;
- the Respondent is not making a bona fide offering of goods or services nor for a legitimate non-commercial or fair use of the disputed domain name, which is based on the Complainant’s trademark AMUNDI, resolved to an inactive website (at least until March 26, 2025), and currently into an active website.

Therefore, this Panel finds that the Complainant has successfully made a prima facie case, which was not rebutted in any manner by the Respondent, and concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Concerning the **Third UDRP Element**, this Panel finds the following:

Registration in Bad Faith:

The Complainant is a recognized European assets management company, with a consistent presence, including online, in Europe, Asia-Pacific, the Middle East, and the Americas. According to the evidence submitted in this case, the Complainant acquired its trademark rights on September 24, 2009, meaning 16 years before the Respondent registered the disputed domain name on March 24, 2025.

Given the international reputation and recognition of the Complainant’s trademark, the nature and composition of the disputed domain name, to this Panel it is clear that the Respondent was fully aware of the Complainant at the time of the registration of the disputed domain name. See WIPO Overview 3.0, section 3.2.2.

Concerning the use of a privacy service by the Respondent in this dispute, to avoid being notified of a UDRP proceeding supports an inference of bad faith as well. See WIPO Overview 3.0, section 3.6.

Therefore, this Panel concludes that the Respondent was fully aware of the Complainant and AMUNDI’s trademark worldwide reputation and value at the time of the disputed domain name’s registration, meaning that the disputed domain name has been registered in bad faith.

Bad Faith Use

The disputed domain name, resolved at least until March 26, 2025, to an inactive website with no content on it. By the time of this Decision, the disputed domain name resolves to an active website identified as “AMUNDI WEB TRADER”, i.e.: https://workspace.amundi-ltd.com/ for trading activities, where customers shall register, provide personal data to log in and request financial services.

Such conduct to this Panel can only emphasize the Respondent’s knowledge regarding the Complainant, and of course, its bad faith use. In line with it, panels have held that the use of a domain name for illegal activity – here, found as impersonation/passing off, (potential) phishing, or other types of fraud, constitutes bad faith.

Section 3.4 of the WIPO Overview 3.0, states that:

> “Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending email, phishing, identity theft, or malware distribution. (In some such cases, the respondent may host a copycat version of the complainant’s website.) **Many such cases involve the respondent’s use of the domain name to send deceptive emails, e.g., to obtain sensitive or confidential personal information** from prospective job applicants, or **to solicit payment of fraudulent invoices by the complainant’s actual or prospective customers**.” (emphasis added).

Therefore, this Panel concludes that the disputed domain name has been registered and is being used in faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **amundi-ltd.com**: Transferred

PANELLISTS

Name	**María Alejandra López García**

DATE OF PANEL DECISION 2025-04-27

Publish the Decision