Decision for dispute CAC-UDRP-107479

Case number	CAC-UDRP-107479
Time of filing	2025-04-10 12:05:52
Domain names	bourso-credit.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BOURSORAMA

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Sophie Claude

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 has proved ownership of the following trademark right:

The prior French trademark « BOURSO » No. 3009973, registered on February 22, 2000, and duly renewed, covering goods and services in class 9; 35; 36; 38; 41 and 42.

The Complainant also owns domain names, inter alia:

- <bourso.com>, registered since January 11, 2000.

FACTUAL BACKGROUND

According to the information provided in the Complaint, the Complainant, BOURSORAMA, is a company that operates in Europe in the fields of online brokerage, financial information, and online banking. In France, it is recognized as the leading online bank, serving over 6 million customers. Its platform, www.boursorama.com, is the top financial and economic information site in the country, attracting more than 41.5 million monthly visits.

The disputed domain name was registered on April 7, 2025, and resolves to a parking page.

The Complainant submitted the following documents to substantiate the above facts:

- Annex 1: Information regarding the Complainant ;
- Annex 2: Complainant's trademark ;
- Annex 3: Complainant's domain name ;
- Annex 4: Whois of disputed domain name ;
- Annex 5: Screenshot of the website.

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

Identity (paragraph 4(a)(i) of the Policy)

The Panel finds that the Complainant has established rights in the BOURSO trademark.

The disputed domain name <bourso-credit.com> reproduces the BOURSO trademark in its entirety.

The addition of the descriptive term "CREDIT," which directly relates to the Complainant's field of activity in financial and banking services, does not dispel the similarity. On the contrary, the Panel is of the opinion that the inclusion of this term enhances the likelihood of confusion, as it reinforces the false impression that the domain name is associated with the Complainant.

The addition of the generic Top-Level Domain ".com" is a technical element that does not affect the assessment of similarity under the Policy.

Thus, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's trademark.

Absence of Rights or Legitimate Interests (paragraph 4(a)(ii) of the Policy).

The Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name <bourso-credit.com>.

The Complainant has made a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Respondent is not known by the name "Bourso-credit" and has not been authorized, licensed, or otherwise permitted by the Complainant to use the BOURSO trademark. There is no indication that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services or for a legitimate non-commercial purpose.

Furthermore, the disputed domain name resolves to the hosting provider's default page indicating the disputed domain name is active. Such passive holding, in the absence of any evidence of intended or actual use, does not support a finding of rights or legitimate interests.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

Bad faith (paragraph 4(a)(iii) of the Policy):

The Panel finds that the disputed domain name <bourso-credit.com> has been registered and is being used in bad faith.

The Complainant has demonstrated that its BOURSO trademark has acquired a strong reputation in France and abroad in connection with online financial services since at least 1995. Given this reputation and the distinctive nature of the BOURSO trademark, the Panel finds it highly unlikely that the Respondent registered the disputed domain name without knowledge of the Complainant's rights.

The deliberate association of the term "CREDIT" with the Complainant's distinctive trademark strongly suggests an intention to exploit the Complainant's brand recognition.

The disputed domain name resolves to the hosting provider's default page indicating the domain name is active. As established in the seminal case Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003, the passive holding of a domain name incorporating a well-known trademark may constitute bad faith, particularly where there is no plausible legitimate use of the domain name that would not be misleading or infringing.

Therefore, the Panel concludes that the disputed domain name has been registered and is being 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. **bourso-credit.com**: Transferred

PANELLISTS

Name	**Nathalie Dreyfus**

DATE OF PANEL DECISION 2025-05-21

Publish the Decision