Decision for dispute CAC-UDRP-107495

Case number	CAC-UDRP-107495
Time of filing	2025-04-16 13:44:11
Domain names	amundifundsvictory.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	mesut erdogan

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 the international trademark AMUNDI, registered on 24 September 2009, under number 1024160, for several insurance and finance services in Class 36, covering the EU, the US, Japan and several other countries.

FACTUAL BACKGROUND

According to the Complainant, it is the leading asset manager in Europe by assets under management, with offices in Europe, Asia-Pacific, the Middle-East and the Americas. With over 100 million retail, institutional and corporate clients, the Complainant ranks among the top 10 asset managers globally.

The Complainant is the owner of numerous domain names comprising the mark AMUNDI, such as the domain name <amundi.com>, registered and used since 26 August 2004.

The disputed domain name <amundifundsvictory.com> was registered on 14 April 2025. The Complainant demonstrates that the website associated with the disputed domain name is offering the disputed domain name for sale at a price of 2,888 USD.

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

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

According to the Complainant, the disputed domain name fully incorporates the Complainant's AMUNDI trademark. The Complainant asserts that the addition of the terms FUNDS and VICTORY does not prevent the disputed domain name from being confusingly similar to its AMUNDI trademark and the associated domain name. The Complainant cites a panel decision, noting that "a domain name that wholly incorporates a Complainant's registered trademark may be sufficient to establish confusing similarity for purposes of the UDRP" (see WIPO Case No. D2003-0888, Dr. Ing. h.c. F. Porsche AG v. Vasiliy Terkin).

The generic Top-Level Domain extension of the disputed domain name, in this case ".com", is typically disregarded under the confusing similarity test, as it is a standard requirement for registration.

Finally, the Complainant refers to past panel decisions that have affirmed the Complainant's rights to the term "AMUNDI", see for instance:

- CAC Case No. 104650, AMUNDI ASSET MANAGEMENT v. Domain Management <amundiimmobilier.com>;
- WIPO Case No. D2022-0730, Amundi Asset Management v. Laurent Guerson <amundi-europe.com>;
- WIPO Case No. D2019-1950, Amundi Asset Management v. Jean René <amundi-invest.com>.

This is not being disputed by the Respondent.

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

2. The Respondent has no rights or legitimate interests in respect of the disputed domain name

The Complainant states that the Respondent is not related to nor authorized in any way by the Complainant to make any use of the Complainant's trademark, or apply for registration of the disputed domain name. In addition, the Complainant asserts that it does not carry out any activity for, nor has any business with the Respondent.

The Complainant asserts that the Respondent is not known by the disputed domain name. According to past panel decisions, a Respondent is not commonly known by the disputed domain name if the Whois information is not similar to the disputed domain name (see Forum Case No. FA 1781783, Skechers U.S.A., Inc. and Skechers U.S.A., Inc. II v. Chad Moston / Elite Media Group <bobsfromsketchers.com>: "Here, the WHOIS information of record identifies Respondent as "Chad Moston / Elite Media Group." The Panel therefore finds under Policy ¶ 4(c)(ii) that Respondent is not commonly known by the disputed domain name under Policy ¶ 4(c)(ii).").

Furthermore, the Complainant demonstrates that the website under the disputed domain name is offering the disputed domain name for sale at 2,888 USD. The Complainant cites a past panel decision, according to which such general offer to sell the disputed domain name is evidence of the Respondent's lack of rights or legitimate interest (see Forum Case No. 1562569, Enterprise Holdings, Inc. v. Webmaster & Support: "A general solicitation to sell a disputed domain name provides further evidence of a respondent's lack of rights and legitimate interests in a disputed domain name. […] Therefore, the Panel finds that Respondent's willingness to sell the <wwenterprise.us> domain name is credible evidence that Respondent lacked rights and legitimate interests in the disputed domain name pursuant to Policy ¶ 4(a)(ii).").

The Panel finds that the Complainant has shown that the Respondent has not made legitimate use of the disputed domain name for a bona fide offering of goods or services. In the absence of any Response from the Respondent, or any other information indicating the contrary, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

3. The disputed domain name is registered and is being used in bad faith

The Complainant cites a past panel decision that recognized the Complainant's trademark as well-known (see CAC case n° 101803, AMUNDI v. John Crawford: "The trademark of Complainant has been existing for a long time and is well-known. Respondent knew or should have known that the disputed domain name included Complainant's trademark"). The Complainant argues that, given the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant's trademark.

Furthermore, the Complainant asserts that the Respondent's lack of active use of the disputed domain name constitutes evidence of bad faith registration and use, as supported by previous panel decisions (see Forum Case No. FA 1784212, Airbnb, Inc. v. khaled salem: "Complainant argues that Respondent diverts traffic to a parked website used to offer the disputed domain name for sale, in bad faith under Policy ¶ 4(a)(iii). The Panel agrees and finds that Respondent's failure to actively use the disputed domain name demonstrates bad faith per Policy ¶ 4(a)(iii).").

Finally, the Complainant contends that the Respondent is a known cybersquatter who has registered numerous domain names reproducing trademarks of several companies and products, such as "workswithverisure.com" (see WIPO Case D2024-4586), or "creationbyrolfbenz.com" (see WIPO Case D2024-4380).

In lack of any Response from the Respondent, or any other information indicating the contrary, the Panel concludes that the Respondent has 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. **amundifundsvictory.com**: Transferred

PANELLISTS

Name	**Tom Heremans**

DATE OF PANEL DECISION 2025-05-27

Publish the Decision