Decision for dispute CAC-UDRP-107512

Case number	CAC-UDRP-107512
Time of filing	2025-04-23 16:44:47
Domain names	amundi-ltd.info, amundiltd.info

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 names.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the International word trademark “AMUNDI”, registered in international class 36 on September 24, 2009. This registration extends to multiple jurisdictions, including the European Union and the United States of America.

The Panel has confirmed the validity and active status of the Complainant’s AMUNDI trademark through publicly accessible online trademark databases.

FACTUAL BACKGROUND

The Complainant is a leading European asset manager providing investment solutions.

The disputed domain name <amundi-ltd.info> was registered on March 26, 2025 and the disputed domain name <amundiltd.info> was registered on March 24, 2025.

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 names are 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).

The disputed domain names incorporate the Complainant's AMUNDI trademark in its entirety as the dominant and sole distinctive element. The additional term "ltd", an abbreviation for "Limited", is a widely used generic term indicating a limited liability company and is inherently descriptive and non-distinctive. Consequently, its inclusion does not prevent the finding of confusing similarity (see WIPO Overview 3.0, section 1.8).

The inclusion of the generic Top-Level Domain (gTLD) ".info" is a standard registration requirement and does not impact the assessment of whether the disputed domain name is identical or confusingly similar to the Complainant's trademarks (see Rollerblade, Inc. v. Chris McCrady, WIPO Case No. D2000-0429).

Accordingly, the Panel finds that both disputed domain names, <amundi-ltd.info> and <amundiltd.info>, are confusingly similar to the Complainant's AMUNDI trademark.

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 names (within the meaning of paragraph 4(a)(ii) of the Policy).

A complainant is required to establish a prima facie case that the respondent lacks rights or legitimate interests. Once such a case is made, the burden of proof shifts to the respondent to demonstrate their rights or legitimate interests in the disputed domain name. Failure to do so results in the complainant satisfying paragraph 4(a)(ii) of the Policy (as per Article 2.1 of WIPO Jurisprudential Overview 3.0 and WIPO Case No. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

Based on the contentions of the Complainant, the Panel finds that the Complainant has successfully established a prima facie case that the Respondent lacks rights or legitimate interests. As the Respondent has failed to provide any relevant evidence demonstrating any such rights or legitimate interests, the Complainant is deemed to have satisfied the second element.

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

Registration in bad faith

Under paragraph 4(a)(iii) of the Policy, the Complainant must establish that the Respondent knew or should have known of the Complainant's trademark rights at the time of registering the disputed domain name (see WIPO Overview 3.0, section 3.2.2). The facts of this case clearly demonstrate such knowledge. The Complainant owns a longstanding trademark, registered in key global jurisdictions since 2009, and enjoys a strong reputation, as confirmed by previous UDRP decisions, including Amundi Asset Management v. Laurent Guerson (WIPO Case No. D2022-0730) and Amundi Asset Management v. Jean René (WIPO Case No. D2019-1950).

Given that it is highly improbable that the Respondent selected the Complainant's mark by mere coincidence. Instead, the Respondent's incorporation of the AMUNDI mark in both disputed domain names in its entirety, demonstrates the Respondent's awareness of the Complainant's business and trademark.

Therefore, the Panel finds that the Respondent registered both disputed domain names in bad faith.

Bad faith use

Disputed domain name: <amundi-ltd.info>

Based on the evidence submitted by the Complainant, the disputed domain name resolves to a website that prominently displays the Complainant's AMUNDI trademark with a "TM" designation and offers investment services similar in nature to those provided by the Complainant. The website clearly impersonates the Complainant, creating a likelihood that Internet users will confuse it with the Complainant's official site or be led to believe that the site is operated by or affiliated with the Complainant.

Accordingly, the Panel concludes that the disputed domain names are being used in bad faith.

The disputed domain name: <amundiltd.info>

The disputed domain name currently directs to an index page with no active website content. In this regard, the Panel has considered whether, under the specific circumstances of this case, the Respondent's passive holding of the disputed domain name constitutes use in bad faith. According to the WIPO Jurisprudence Overview 3.0, non-use of a domain name would not preclude a finding of bad faith under the passive holding doctrine. Factors considered relevant in applying the passive holding doctrine include (i) the degree of distinctiveness or reputation of the complainant's mark; (ii) the respondent's failure to file a response or to provide evidence of actual or intended good faith use; (iii) the respondent's concealment of its identity or use of false contact information (in violation of its registration agreement); and (iv) the implausibility of any good faith use to which the domain name might be put (see also Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003, <telstra.org>).

In this case, the Complainant has established the distinctiveness and reputation of the AMUNDI mark through references to prior UDRP decisions. The Respondent has neither submitted a response nor demonstrated any actual or intended good faith use of the disputed domain name.

Additionally, the Panel has verified that MX records are configured for the disputed domain name. MX (Mail Exchange) records designate the mail servers responsible for handling e-mail for the domain name, indicating an intention to use the domain name for email communications (see WIPO Case No. D2022-0479, CKM Holdings Inc. v. Grant Chonko). The presence of MX records suggests active arrangements for e-mail functionality, which, absent legitimate use, raises concerns of potential misuse such as misrepresentation, phishing, or spam.

Given these circumstances, the Panel concludes that the disputed domain names are also being used in bad faith.

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 determined that the disputed domain names <amundiltd.info> and <amundi-ltd.info> are confusingly similar to the Complainant's well-known AMUNDI trademarks, as the dominant distinctive element "AMUNDI" appears in full within both domain names.

The Complainant successfully established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent did not submit any evidence or explanation to demonstrate lawful or authorized use of the domains, nor any bona fide intention connected to the Complainant's mark. Therefore, the Panel concluded that the Complainant satisfied the second UDRP element.

The Panel further found that the Respondent must have been aware of the Complainant's trademarks when registering the disputed domain names, given the established reputation and distinctiveness of the AMUNDI mark. The evidence showed that the domain names were registered and are being used in bad faith.

On these grounds, the Panel ordered the transfer of the disputed domain names to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **amundi-ltd.info**: Transferred
2. **amundiltd.info**: Transferred

PANELLISTS

Name	**Karel Šindelka**

DATE OF PANEL DECISION 2025-05-30

Publish the Decision