Decision for dispute CAC-UDRP-107629

Case number	CAC-UDRP-107629
Time of filing	2025-05-29 10:09:31
Domain names	levillagebycatoulouse.com

Case administrator

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

Complainant

Organization	CREDIT AGRICOLE S.A.

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Daslur Services AG

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 registered owner of several trademarks including:

- EU trademark registration no. 005505995 “CA CRÉDIT AGRICOLE <fig.>“, registered on December 20, 2007
- EU trademark registration no. 017891333 “LE VILLAGE Coopérer pour innover by CA <fig.>”, registered on September 4, 2018
- French trademark registration no. 1381908 “CA <fig.>”, registered on November 28, 1986
- French trademark registration no. 3454608 “CA <fig.>”, registered on October 5, 2006

The Complainant’s trademarks (hereinafter referred to as the “Trademarks”) cover a wide range of goods and services.

FACTUAL BACKGROUND

The Complainant is a leading European financial services provider with 54 million customers in France and 154,000 employees worldwide. It offers banking services as well as insurance, management asset leasing and factoring, and consumer and corporate investment services. Through its regional banks, the Complainant uses the term “Village by CA” to support the local economy.

The Complainant owns several domain names, including:

- <creditagricole.com>
- <levillagebyca.com>
- <levillagebycatoulouse31.com>

The disputed domain name <levillagebycatoulouse.com> was registered on the November 21, 2024 and has been used in connection with a website featuring adult content.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant argues that the disputed domain name is confusingly similar to its "CA" trademark as the addition of the terms "LE VILLAGE BY" and "TOULOUSE" is not sufficient to escape the finding of confusing similarity. Furthermore, the Complainant argues that the addition of these terms strengthens the risk of confusion as they clearly refer to the Complainant's website at https://www.levillagebycatoulouse31.com/ and its trademark „LE VILLAGE Coopérer pour innover by CA".

The Complainant further argues, that the Respondent has no rights or legitimate interest with regard to the disputed domain name. In this regard, the Complainant contends that the Respondent is not commonly known by the disputed domain name, that the Respondent is not affiliated with, nor authorized by, the Complainant in any way, that the Complainant does not carry out any activity with, nor has any business with, the Respondent, and that the Respondent's use of the disputed domain name is neither a legitimate non-commercial nor fair use and tarnishes the Trademarks.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. Regarding bad faith registration, the Complainant argues that the disputed domain name deliberately targets their branch „LE VILLAGE BY CA TOULOUSE 31" and that the terms "LE VILLAGE BY CA TOULOUSE" are closely associated with the Complainant. Therefore, it is inconceivable that the Respondent registered the disputed domain name without having the Complainant in mind. With regard to bad faith use, the Complainant states that the Respondent registered and used the disputed domain name in bad faith to create confusion with the Trademarks for commercial gain by using the confusingly similar domain name to resolve to a website containing adult-oriented content.

RESPONDENT:

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

Under paragraph 4(a) of the Policy, the Complainant must prove that each of the following three elements is present:

(i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; and

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

1. The Panel accepts that the disputed domain name is confusingly similar to the Trademarks. Firstly, the addition of the generic terms “LE VILLAGE BY” and “TOULOUSE” to the Complainant’s CA marks does not prevent a finding of confusing similarity, as these trademarks are recognizable in the disputed domain name. The term “LE VILLAGE BY” within the disputed domain name clearly indicates that “CA”, i.e. the Complainant, is the one behind the website. Furthermore, the disputed domain name is also confusingly similar to the trademark “LE VILLAGE Coopérer pour innover by CA <fig.>”, as it incorporates the terms “LE VILLAGE” and “by CA”, which are the defining elements of the trademark due to their overall graphic impression.

2. The Complainant has substantiated that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel finds that the Complainant has fulfilled its obligations under paragraph 4(a)(ii) of the Policy. The Respondent did not deny these assertions in any way and, therefore, failed to prove any rights or legitimate interests in the disputed domain name.

Based on the evidence on file, the Panel cannot find any rights or legitimate interests of the Respondent either. In particular, using the disputed domain name in connection with adult content does not confer any rights to it.

3. The Panel is also satisfied that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights in the Trademarks given that the disputed domain name clearly refers to one of the Complainant’s domain names.

Regarding bad faith use, by utilizing the disputed domain name for a website featuring adult content, the Respondent was, in all likelihood, trying to divert traffic intended for the Complainant’s website to its own for commercial gain as set out under paragraph 4(b)(iv) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **levillagebycatoulouse.com**: Transferred

PANELLISTS

Name	**Peter Müller**

DATE OF PANEL DECISION 2025-07-03

Publish the Decision