# Decision for dispute CAC-UDRP-107670

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| Case number | CAC-UDRP-107670 |
| Time of filing | 2025-06-18 13:16:54 |
| Domain names | bourso-bank.cc |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | BOURSORAMA |

## Complainant representative

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| Organization | NAMESHIELD S.A.S. |

## Respondent

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| Name | lapuenta covanasa |

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any pending or concluded legal proceedings concerning the domain name <bourso-bank.cc> (referred to as 'the disputed domain name').

IDENTIFICATION OF RIGHTS

The Complainant, Boursorama, operating under the name Boursobank, asserts rights to the following registered trade marks:

• French trade mark registration no. 3009973, filed on 22 February 2000, for the word mark BOURSO, in classes 9, 35, 36, 38, 41, and 42 of the Nice Classification; and

• International trade mark registration no. 1757984, filed on 28 August 2023, for the figurative mark BOURSOBANK, in classes 9, 16, 35, 36, 38, and 41 of the Nice Classification.

Collectively, these trade marks shall be referred to as 'the Complainant's trade marks'.

Additionally, the Complainant holds multiple domain names incorporating the terms 'bourso' and ‘boursobank’, most notably <bourso.com>, registered in 1998, and <boursobank.com>, registered in 2005.

The disputed domain name <bourso-bank.cc> was registered on 17 June 2025. Presently, the disputed domain name resolves to a login page (referred to as 'the Respondent’s website').

FACTUAL BACKGROUND

### A. Complainant's Factual Assertions

The Complainant is a leader in online brokerage, financial information, and banking in France, boasting nearly 7.6 million customers.

### B. Respondent's Factual Assertions

The Respondent has failed to submit a Response in this UDRP proceeding, thereby leaving the Complainant's assertions unchallenged.

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PARTIES CONTENTIONS

### A. Complainant's Submissions

The Complainant's arguments may be summarised as follows:

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

The Complainant asserts that the disputed domain name <bourso-bank.cc> is confusingly similar to its trade mark BOURSOBANK. The addition of a hyphen and the suffix <.cc> does not diminish the likelihood of confusion with the trade mark BOURSOBANK.

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

The Complainant highlights that the Respondent is not identified in the Whois database as the owner of the disputed domain name. As established in prior cases, the absence of association indicates a lack of rights or legitimate interests. The Respondent is not authorised to use the trade mark BOURSOBANK, and the disputed domain name has been used to create a misleading login page, potentially compromising the personal information of the Complainant's clients.

#### A.3 The Respondent registered and is using the disputed domain name in bad faith

The Complainant contends that the trade mark BOURSO holds significant recognition both in France and abroad concerning online financial services. Given the registration of the disputed domain name, along with its operation as a login page impersonating the Complainant’s official website, it is reasonable to infer that the Respondent acted with knowledge of the Complainant's trade marks. This conduct constitutes an intentional attempt to mislead Internet users and could result in the gathering of sensitive personal data. Consequently, the Complainant asserts that the registration and use of the disputed domain name have been executed in bad faith.

#### A.4 Relief sought

The Complainant requests the transfer of the disputed domain name.

### B. Respondent's Submissions

The Respondent has provided no substantive defence in this ADR proceeding.

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RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical or confusingly similar to a trade mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the UDRP Policy).

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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 UDRP Policy).

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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 UDRP Policy).

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PROCEDURAL FACTORS

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The Panel confirms that all procedural requirements under the UDRP have been duly met, with no grounds preventing a decision from being issued.

PRINCIPAL REASONS FOR THE DECISION

**A. Applicable Legal Framework and Burden of Proof**

Pursuant to Rule 15 of the UDRP Rules, the Panel shall base its determination on the statements and documents submitted, together with the UDRP Policy, UDRP Rules, and any pertinent rules and principles of law. The Complainant must establish three essential elements under paragraph 4(a) of the UDRP Policy:

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

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.

These elements collectively constitute 'the requirements of the UDRP Policy'. The standard of evidence in UDRP proceedings operates on the balance of probabilities, and the Panel will assess each requirement in turn.

**B. Identical or Confusingly Similar**

The Panel finds that the Complainant possesses UDRP-relevant rights in the registered trade marks BOURSO and BOURSOBANK since 2000 and 2023, respectively. The disputed domain name <bourso-bank.cc> wholly incorporates the trade mark BOURSOBANK. The mere presence of a hyphen between 'bourso' and 'bank' is insufficient to materially affect the recognisability of the trade mark BOURSOBANK. Furthermore, the inclusion of the country code Top-Level Domain (TLD) for Cocos (Keeling) Islands (<.cc>) does not diminish this similarity, thus satisfying the first requirement of the UDRP Policy.

**C. Rights or Legitimate Interests**

The Respondent has defaulted in this UDRP proceeding, enabling the Panel to draw adverse inferences from the Respondent's silence (Rule 14 (b) of the UDRP Rules).

Based on the available record, the Panel concludes that the Respondent has not been commonly known by the disputed domain name and has not been authorised by the Complainant to use it in any capacity. The Respondent has made no use of the disputed domain names for bona fide offerings of goods or services, nor for legitimate noncommercial or fair use.

The Panel therefore finds that the Complainant has satisfied the second requirement of the UDRP Policy.

**D. Registered and Used in Bad Faith**

The Panel determines that the Respondent registered and has used the disputed domain names with full knowledge of, and intention to target, the Complainant. The circumstances strongly support a presumption of bad faith under the UDRP Policy: (i) the worldwide reputation of the Complainant's trade marks; (ii) the evident similarity between the disputed domain name and the Complainant's trade marks; (iii) the Respondent's failure to counter the Complainant's prima facie case; (iv) the Respondent's attempt to gain a reputational advantage by redirecting Internet users for likely fraudulent purposes; and (vi) the implausibility of any good faith use of the disputed domain name.

The Respondent is therefore deemed to have engaged in the conduct described in paragraph 4(b)(iv) of the UDRP Policy.

In view of the above, the Panel finds that the Complainant has satisfied the third and final requirement of the UDRP Policy.

**E. Decision**

For the foregoing reasons, in accordance with paragraph 4(a) of the UDRP Policy and Rule 15 of the UDRP Rules, the Panel orders that the disputed domain name <bourso-bank.cc> be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **bourso-bank.cc**: Transferred

## PANELLISTS

| Name | Yana Zhou |
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DATE OF PANEL DECISION 2025-07-14

Publish the Decision