Decision for dispute CAC-UDRP-107720

Case number	**CAC-UDRP-107720**
Time of filing	**2025-07-10 10:44:40**
Domain names	**eurexion.com**

Case administrator

Name	**Olga Slanařová (Case admin)**

Complainant

Organization	**Deutsche Börse AG**

Complainant representative

Organization	**Grünecker Patent und Rechtsanwälte PartG mbB**

Respondent

Organization	**PrymHosting**

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, among others, of the following trademarks for EUREX:

- International trademark registration no. 635015 EUREX designating Belarus, Switzerland, Liechtenstein, Monaco, San Marino and Ukraine for international classes 09, 35, 36, 42, basic registration in Germany registered on May 27, 1994;
- International trademark registration no. 812147 EUREX designating Australia, Belarus, Switzerland, Japan, South Korea, Liechtenstein, Norway, Singapore, Turkey, Hungary, Russia, Ukraine for international classes 09, 16, 35, 36, 38, 41, 42, basic registration in Germany registered on April 24, 2003;
- EUTM No. 744763 EUREX for international classes 9, 16, 35, 36, 38, 42, registered on June 8, 1999.

FACTUAL BACKGROUND

The Complainant states that it is one of the leading market place organizers for financial services, particularly trading in shares and other securities worldwide which organizes one of the world's largest derivative markets under the trademark EUREX.

The Complainant further states that it is the owner of the EUREX trademark since 1994 and that EUREX should be considered a well-known trademark.

The disputed domain name was registered on June 4, 2025 and it resolves to an online website allegedly offering banking services, which the Complainant believes is actually used for fraudulent means.

PARTIES CONTENTIONS

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

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).

The disputed domain name <eurexion.com> is confusingly similar to the Complainant's EUREX trademark, as it incorporates the latter in its entirety, with the addition of the letters "-ion", which do not avoid any likelihood of confusion for internet users; indeed, the Complainant's trademark is still easily recognizable within the disputed domain name.

Accordingly, the Panel finds that Complainant has proven the first element of the Policy.

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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).

According to the WIPO case No. D2003-0455, Croatia Airlines d. d. v. Modern Empire Internet Ltd., a complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests. Once such a prima facie case is made, the respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If the respondent fails to do so, the complainant is deemed to have satisfied paragraph 4(a) (ii) of the Policy.

In this case at hand, the Respondent is not affiliated with the Complainant nor authorized by it in any way to use the EUREX trademark. The Complainant does not carry out any activity for, nor has any business with the Respondent.

Considering that the Respondent did not reply to the Complainant's contentions, the Panel finds that the Complainant has proven the second element of the Policy.

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The Panel finds that the Complainant successfully submitted prima facie evidence that the Respondent has made no use of, or

demonstrable preparations to use, neither of the disputed domain name in connection with a bona fide offering of goods or services, nor is making a legitimate non-commercial or fair use of the disputed domain name.

Indeed, given the distinctiveness and renown of the Complainant's trademark, it is reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's EUREX registrations. Please see, for instance, WIPO Case No. D2004-0673, Ferrari S.p.A v. American Entertainment Group Inc.

Complainant has specifically argued that bad faith exists in this case because the website connected to the disputed domain name would be a mere template, with a lot of incorrect / non-coherent information (among others, the Respondent is not registered with the National Bank of Belgium nor is listed within the Financial Services and Markets Authority, it has provided a fake registered address and phone, it has inactive social profiles, etc.).

None of the above assumptions has been contested by the Respondent and, given also the wide notoriety of the Complainant's trademark and the previous similar UDRP case-law involving the Complainant, the Panel agrees that it is not possible to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate.

Accordingly, the Panel finds that Complainant has proven the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **eurexion.com**: Transferred

PANELLISTS

Name	**Tommaso La Scala**

DATE OF PANEL DECISION 2025-08-18

Publish the Decision