Decision for dispute CAC-UDRP-107800

Case number	CAC-UDRP-107800
Time of filing	2025-07-30 10:05:20
Domain names	boursofirst.info

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BOURSORAMA

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	lucy ricalo

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 proved to be the owner of:

French trademark for BOURSO reg. no. 3009973 registered since July 28, 2000;

International trademark for BOURSOBANK (device) reg. no. 1757984 registered since August 28, 2023.

FACTUAL BACKGROUND

I. The Complainant

The Complainant, BOURSORAMA S.A., is active in online brokerage, financial information on the Internet and online banking.

According to the Complainant's submissions, BOURSORAMA is the online banking reference with 7.6 million customers in France and the portal www.boursorama.com is the first national financial and economic information site and first French online banking platform.

II. The disputed domain name

<boursofirst.info> was registered on July 25 2025. It resolves to an inactive page. In addition, MX servers are configured in the disputed domain name.

PARTIES CONTENTIONS

Complainant submissions.

As regards the first element of the Policy, the Complainant supports that the disputed domain name is confusingly similar to its trademarks BOURSO and BOURSORAMA BANK.

As regards the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, because the Complainant has never authorized the Respondent to use the BOURSO trademark. The Complainant adds that the Respondent does not carry out a fair or a non-commercial use of the disputed domain name.

As regards the third element of the Policy, the Complainant supports that the Respondent was aware of its rights on the BOURSO trademark at the time of the registration of the disputed domain name. Moreover the non-use of the disputed domain name does not exclude bad faith.

Respondent submissions.

The Respondent did not file an administrative reply to the complaint.

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

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

The Panel agrees that <boursofirst.info> is confusingly similar to the BOURSO and BOURSORAMA BANQUE trademarks owned by the Complainant since it entirely contains the element BOURSO. The addition of the word "FIRST" does not exclude similarity between trademark and domain name since FIRST is a common word with a very limited distinctive character.

Last the disputed domain name's extensions ".info" has only a technical function and consequently it should be disregarded for the purpose of assessing the first element of the Policy.

B. Rights and legitimate interests.

Under paragraph 4(a)(ii) of the Policy, a complainant has the burden of establishing that a respondent lacks rights or legitimate

interests in respect of a domain name, but this burden is light. It is sufficient in the first instance for omplainant to allege a prima facie case, and if the evidence presented is persuasive or yields a positive inference that Respondent lacks rights or legitimate interests, the burden shifts to respondent to rebut the allegations.

In this case, the Panel finds that the Complainant's submitted evidence and allegations, to which the Respondent did not reply, are sufficient to establish a prima facie case of lack of rights and legitimate interests in the disputed domain name.

In particular, the Complainant denies that the Respondent has ever been authorized to use BOURSO trademark as a domain name. Moreover, the WHOIS information excludes that the Respondent could be commonly known by the sign BOURSO or BOURSOFIRST.

Finally, the disputed domain name points to an inactive page which does not amount to a bona fide offering of goods/services nor to a fair / non commercial use for the purpose of the Policy.

C. Registration and use in bad faith.

As far as registration in bad faith is concerned, the Panel finds particularly relevant the fact that in the disputed domain name BOURSO is combined with FIRST. The trademark BOURSOFIRST distinguishes the private banking of the Complainant. In the Panel's view such a combination is not coincidental. In the absence of a reasonable explanation, it shows that the Respondent was well aware of the Complainant's rights on the trademark BOURSO and BOURSO BANK at the time of the registration of the disputed domain name.

The disputed domain name redirects to an inactive webpage. This does not exclude bad faith since, given the distinctiveness of BOURSO and its combination with FIRST, it is improbable that, in case of use, the disputed domain name would not infringe the Complainant's rights on its trademarks.

Moreover, MX records are activated. This suggests that the disputed domain name could be used for sending emails, and it supports use in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **boursofirst.info**: Transferred

PANELLISTS

Name	**Andrea Mascetti**

DATE OF PANEL DECISION 2025-08-26

Publish the Decision