Decision for dispute CAC-UDRP-107815

Case number	CAC-UDRP-107815
Time of filing	2025-08-04 09:36:34
Domain names	espace-client-bforbank.com

Case administrator

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

Complainant

Organization	BFORBANK

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	loka

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 of several trademarks BFORBANK, for banking services such as the European trademark n°8335598 registered since June 2, 2009.

The Complainant also owns a number of domain names including BFORBANK, including <bforbank.com>, registered since January 16, 2009.

FACTUAL BACKGROUND

The Complainant is an online bank launched in October 2009 by the Crédit Agricole Regional Banks which offers daily banking, savings, investment and credit (consumer and real estate) services. It has over 300 000 clients and more than 500 employees.

The disputed domain name was registered on July 9, 2025 and resolves to a website offering online banking services under the name BFORBANK and featuring a log in screen.

PARTIES CONTENTIONS

Complaint

The Complainant's contentions can be summarised as follows:

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

The disputed domain name is confusingly similar to the Complainant's trademark BFORBANK containing it in its entirety.

The addition of the generic terms “ESPACE CLIENT” (meaning “customer account” in French) is not sufficient to escape the finding that the domain name is confusingly similar to the trademark BFORBANK. It does not change the overall impression of the designation as being connected to the Complainant’s trademark BFORBANK. It does not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trademark and its domain name.

The addition of the suffix “.COM” does not change the overall impression of the designation as being connected to the Complainant’s trademark. It does not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trademark and its domain name.

The Complainant’s rights over the term “BFORBANK” have been confirmed by previous Panels.

Thus, the disputed domain name is confusingly similar to the Complainant's trademark BFORBANK.

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

The Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such 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 UDRP.

The Respondent is not identified in the Whois database by a name with a connection to the disputed domain name. Past panels have held that a Respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name. Thus, the Respondent is not commonly known by the disputed domain name.

The Respondent is not affiliated with nor authorized by the Complainant in any way. The Respondent has no rights or legitimate interests in respect of the disputed domain name. Complainant does not carry out any activity for, nor has any business with the Respondent.

Neither license nor authorization has been granted to the Respondent to make any use of the Complainant’s trademark BFORBANK, or apply for registration of the disputed domain name.

The disputed domain name resolves to a website offering online banking services under the name BFORBANK passing off as the Complainant for commercial gain and featuring a log in screen for fraudulent purposes. Therefore, the Respondent is not using the domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use.

Accordingly, the Respondent has no rights or legitimate interests in the disputed domain name.

C. The disputed domain name was registered and is being used in bad faith

The Respondent registered the disputed domain name several years after the registration of the trademark BFORBANK by the Complainant and the Complainant's accruing of a strong reputation while using this trademark. The Complainant is well known. BFORBANK offers daily banking, savings, investment and credit (consumer and real estate) services for more than 300 000 customers.

The disputed domain name resolves to a website offering online banking services under the name BFORBANK.

Thus, given the distinctiveness of the Complainant's trademarks and reputation, the Complainant contends that it is inconceivable that the Respondent could have registered the disputed domain name without actual knowledge of the Complainant's rights in the trademark.

The disputed domain name resolves to a website offering online banking services under the name BFORBANK and providing a login page. By using the disputed domain name, the Respondent has disrupted the Complainant's business and intentionally attempted to attract, for commercial gain, Internet users to its website for fraudulent purposes, by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of the web site or services provided on it.

On these bases, the Complainant concludes that the Respondent has registered and is using the disputed domain name in bad faith.

Response

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 disputed domain name is confusingly similar to the Complainant's prior trade mark merely adding the French words for 'client account', hyphens and a gTLD which do not prevent said confusing similarity.

The Respondent is not authorised by the Complainant or commonly known by the disputed domain name.

The disputed domain name has been used for a site offering competing banking services using the Complainant's mark in its masthead and featuring a log in screen which is not a bona fide offering of goods or services or legitimate non commercial fair use.

The Respondent has not answered the Complaint or rebutted the prima facie case evidenced by the Complainant.

The disputed domain name has been registered and used in bad faith, disrupting the Complainant's business and confusing Internet users for commercial gain and fraudulent purposes. Fraud is bad faith registration and use per se.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **espace-client-bforbank.com**: Transferred

PANELLISTS

Name	**Dawn Osborne**

DATE OF PANEL DECISION 2025-08-27

Publish the Decision