Decision for dispute CAC-UDRP-107757

Case number	CAC-UDRP-107757
Time of filing	2025-07-22 10:55:32
Domain names	INTESASANPAOLO.SYSTEMS

Case administrator

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

Complainant

Organization	Intesa Sanpaolo S.p.A.

Complainant representative

Organization	Intesa Sanpaolo S.p.A.

Respondent

Name	Mariso Morda

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 owns the following “INTESA SANPAOLO” trademark registrations:

- International trademark registration n. 920896 “INTESA SANPAOLO”, granted on March 7, 2007, and duly renewed, in classes 9, 16, 35, 36, 38, 41 and 42; and
- EU trademark registration n. 5301999 “INTESA SANPAOLO”, granted on June 18, 2007, and duly renewed, in classes 35, 36 and 38.

The disputed domain name was registered on April 23, 2025, i.e., the Complainant’s trademark registrations cited above predate the registration of the disputed domain name.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

The Complainant is the leading Italian banking group and also one of the protagonists in the European financial arena. Intesa Sanpaolo is the company resulting from the merger (effective as of January 1, 2007) between Banca Intesa S.p.A. and Sanpaolo IMI S.p.A., two of the top Italian banking groups.

Intesa Sanpaolo is among the leading banking groups in the Euro zone, with a market capitalization exceeding 87.1 billion Euro. With market shares of more than 13% in most Italian regions, Complainant offers its services to approximately 14 million customers in Italy. Intesa Sanpaolo also has a strong presence in Central-Eastern Europe with a network of approximately 900 branches and over 7.5 million customers. Moreover, its international network specialized in supporting corporate customers is present in 25 countries, including the United States, Russia, China and India. The Complainant uses the domain name <intesasanpaolo.com> for its main corporate website.

The Complainant contends that the Respondent is not affiliated with the Complainant nor authorized by the Complainant in any way to use the trademark "INTESA SANPAOLO". The Complainant does not carry out any activity for, nor has any business with the Respondent. The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the Respondent is not related in any way to Complainant's business. The disputed domain name does not correspond to the name of the Respondent, and the Respondent is not commonly known as "INTESASANPAOLO. According to the Complainant, there is no fair or non-commercial use of the disputed domain name. The domain name is used for a website currently blocked by Google Safe Browsing because Google identified it as fraudulent and attempting to trick visitors into sharing personal information or downloading software.

The Complainant further contends that the Respondent has registered the disputed domain name in bad faith. Its trademark "INTESA SANPAOLO" is distinctive and well known around the world. The fact that the Respondent has registered a domain name that is practically identical to this distinctive brand name indicates that the Respondent had positive knowledge of Complainant's trademark at the time of registration of the disputed domain name. In addition, if Respondent had performed even a basic Google search in respect of the phrase "INTESASANPAOLO", the search results would have shown obvious references to the Complainant.

On May 7, 2025, Complainant's attorneys sent a cease-and-desist letter to the Respondent, asking for the voluntary transfer of the disputed domain name. Respondent did not react to this request.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.
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

Except for the space between "INTESA" and "SANPAOLO" (which for technical reasons cannot be represented in an internet domain name) and the suffix ".systems" (which is also owed to the technical requirements of the domain name system), there is no difference between Complainant's trademark "INTESA SANPAOLO" and the disputed domain name. The Panel therefore finds the

disputed domain name to be at least confusingly similar (if not identical) to the “INTESA SANPAOLO” mark in which Complainant has rights.

The Panel further finds that the Complainant successfully submitted prima facie evidence that the Respondent has neither made any use of, or demonstrable preparations to use, 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, nor is commonly known under the disputed domain name. This prima facie evidence was not challenged by the Respondent.

The Panel also finds that the Complainant successfully submitted prima facie evidence that the Respondent was aware of Complainant's rights in the well-known designation “INTESA SANPAOLO” when registering the disputed domain name. Again, this prima facie evidence was not challenged by the Respondent, which supports the conclusion that the disputed domain name was registered in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

The Panel also accepts the Complainant's claim that the disputed domain name was used in bad faith. Although the exact usage is unclear because Google Safe Browsing has blocked the website, the Panel finds that

- Google Safe Browsing's blocking of the website per se and
- the Respondent's failure to respond or explain his use of the disputed domain name

are sufficient to infer bad faith use. While Google's assessment could be incorrect, the Panel considers Google Safe Browsing sufficiently reliable for the purposes of this decision, especially since the Respondent did not submit a response.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **INTESASANPAOLO.SYSTEMS**: Transferred

PANELLISTS

Name	**Dr. Thomas Schafft**

DATE OF PANEL DECISION 2025-08-28

Publish the Decision