Decision for dispute CAC-UDRP-107804

Case number	CAC-UDRP-107804
Time of filing	2025-07-31 09:51:33
Domain names	amundipensionext.com

Case administrator

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

Complainant

Organization	AMUNDI ASSET MANAGEMENT

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Buy this domain on Dan.com

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 states, and provides documentation in support thereof, that it is the owner of International Registration Trademark:

- **AMUNDI** (word mark), registered on September 24, 2009, duly renewed since, under No 1024160 in Class 36 and designating 18 territories and notably Japan, Norway, European Union, China, Switzerland, Singapore and Monaco.

Moreover, the Complainant is also the owner of the domain names bearing the sign “AMUNDI” such as the domain name <amundi.com> (registered on August 26, 2004).

The disputed domain name, <amundipensionext.com>, was registered by the Respondent on July 15, 2025 and resolved to a single webpage with the indication that it is offered for sale for 1,999 USD.

FACTUAL BACKGROUND

The Complainant is Europe's number one asset manager by assets under management and has offices in Europe, Asia-Pacific, the Middle East and the Americas. The Complainant ranks in the top 10 global asset managers and has over 100 million retail, institutional and corporate clients.

The Complainant is the owner of international registered trademark no. 1024160 for the word mark AMUNDI, registered on September 24, 2009. The Complainant is the registrant of the domain name <amundi.com>, registered on August 26, 2004, which is used for its official website. The Complainant also owns several other domain names including its AMUNDI trademark.

The disputed domain name <amundipensionext.com> was registered on July 15, 2025 and is offered for sale for 1,999 USD.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domains name should be transferred to it. The Complainant makes a number of legal arguments and also supplies a set of annexes providing evidence of its activities and of the Respondent's webpage indicating that the disputed domain name is for sale.

No administratively compliant Response has been filed by the Respondent.

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

Notwithstanding the fact that no Response has been filed, the Panel shall consider the issues present in the case based on the statements and documents submitted by the Complainant.

Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following elements:

- that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- that the disputed domain name was registered and is being used in bad faith.

A. Identical or confusingly similar: Paragraph 4(a)(i)

The trademark citation and documentation provided by Complainant are sufficient to establish that Complainant has rights in the AMUNDI Trademark.

As to whether the disputed domain name is identical or confusingly similar to the trademark, the relevant comparison to be made is with the second-level portion of the disputed domain name only i.e. "amundipensionext" because “[t]he applicable Top Level Domain (‘TLD’) in a domain name (e.g. '.com') is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.” WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“WIPO Overview 3.0”), section 1.11.1.

The disputed domain name wholly incorporates and is confusingly similar to the Complainant's AMUNDI registered trademark, and the addition of the term "pension", clearly refering to pension schem and financial information and "ext", letting believe to the customer that is is an "external" access, is insufficient to avoid the likelihood of confusion or to change the overall impression of the designations as being connected to the Complainant's trademark.

Finally, the Complainant's rights over the term "AMUNDI" have been confirmed by previous panels:

- CAC Case No. 104650, AMUNDI ASSET MANAGEMENT v. Domain Management <amundiimmobilier.com>;
- WIPO Case No. D2022-0730, Amundi Asset Management v. Laurent Guerson <amundi-europe.com>;
- WIPO Case No. D2019-1950, Amundi Asset Management v. Jean René <amundi-invest.com>.

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

B. Rights or Legitimate Interests: Paragraph 4(a)(ii)

The Respondent is not commonly known by the disputed domain name and the Respondent's Whois information is not similar to the disputed domain name. The Respondent is neither affiliated with nor authorized by the Complainant in any way. The Respondent does not carry out any activity for, nor has any business with the Complainant. No authorization has been granted to the Respondent by the Complainant to use its AMUNDI trademark.

The disputed domain name resolves to a webpage with the sole indication that the disputed domain name is for sale. Previous panels under the Policy have found that this is not a bona fide offering of goods or services or legitimate non-commercial or fair use.

WIPO Overview 3.0, section 2.1, states: "While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of 'proving a negative', requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element."

The Panel finds that Complainant has established its prima facie case and, without any evidence from Respondent to the contrary, the Panel is satisfied that Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith: Paragraph 4(a)(iii)

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in paragraph 4(b) of the Policy: (i) circumstances indicating that the registrant has registered or the registrant has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the registrant's website or location or of a product or service on the registrant's website or location.

As set forth in section 3.1.4 of WIPO Overview 3.0: "Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar… to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith." That is applicable here.

Further, by offering to sell the disputed domain name for a minimum amount of 1999 USD, it appears that Respondent has "acquired the domain name[s] primarily for the purpose of selling, renting, or otherwise transferring the domain name registration[s] to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name." Policy, para. 4(b)(i).

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. **amundipensionext.com**: Transferred

PANELLISTS

Name	David-Irving Tayer

DATE OF PANEL DECISION 2025-09-07

Publish the Decision