# Decision for dispute CAC-UDRP-107912

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| Case number | CAC-UDRP-107912 |
| Time of filing | 2025-09-03 09:25:52 |
| Domain names | amundibtc.top, amundibtc.vip |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | AMUNDI ASSET MANAGEMENT |

## Complainant representative

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| Organization | NAMESHIELD S.A.S. |

## Respondents

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| Name | li shi min |
| Name | li shi min |

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 names.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the international registered trademark no. 1024160 registered since September 24, 2009.

The Complainant also owns the domain name <amundi.com> registered and used since August 26, 2004.

FACTUAL BACKGROUND

The Complainant is a French asset management company. According to the Complainant, it is Europe's number one asset manager by assets under management and with over 100 million retail, institutional, and corporate clients it ranks in the top 10 globally. It has offices in Europe, Asia-Pacific, the Middle East, and the Americas.

The disputed domain names <amundibtc.top> and <amundibtc.vip> were registered on August 26, 2025, exactly 21 years after the Complainant's domain name <amundi.com> was registered.

Each of the disputed domain names either resolves to a website offering open-sour framework services or to an authentication page

displaying a bitcoin logo.

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 names are 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).

To determine whether a disputed domain name is identical or confusingly similar to a trademark, the approach is to do a side-by-side comparison with the disputed domain name. See F. Hoffmann-La Roche AG v. P Martin, WIPO Case No. D2009-0323.

A disputed domain name is identical to a complainant's registered trademark when it is a character for character match. It is confusingly similar when it varies the trademark by, for example, adding generic terms to the dominant part of the trademark.

It is also well established that a domain name which wholly incorporates a complainant's registered trademark may be sufficient to establish confusing similarity for UDRP purposes. See WIPO Case No. D2003-0888, Dr. Ing. h.c. F. Porsche AG v. Vasiliy Terkin.

Here, the Complainant is the owner of the "AMUNDI" trademark, which predates the registration date of the disputed domain name by about 15 years. The Complainant has, therefore, established its rights in the "AMUNDI" trademark.

The Complainant contends that the disputed domain names are confusingly similar to its trademark, as each of the disputed domain names wholly included within the domain name with the addition of three letters "BTC" (short for "BITCOIN").

It asserts that the addition of the letters "BTC" is not sufficient to avoid the likelihood of confusion. It also does not change the overall impression of the designations as being connected to the Complainant's trademark. In other words, it does not remove the confusing similarity.

The Panel accepts that the purported addition of the letters "BTC" to the Complainant's trademark in the disputed domain names does not alter the overall impression created by the dominant "AMUNDI" mark.

The addition of the letters "BTC" also does not prevent the likelihood of confusion between the disputed domain names and the Complainant, its trademark, and its associated domain name.

It is also trite to state that the addition of the gTLD ".top" or ".vip" to the respective disputed domain names does not add any distinctiveness to the disputed domain names and will be disregarded for the purposes of considering this ground. See WIPO Jurisprudential Overview 3.0, 1.1.

Accordingly, the Panel considers that this ground is made out.

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 names (within the meaning of paragraph 4(a)(ii) of the Policy).

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

The Complainant asserts that the Respondent is not known as the disputed domain names.

Here, the evidence adduced from the WHOIS information is clear and supports this contention. As such, the Panel accepts that the Respondent is not commonly known by the disputed domain names.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names and that he is not affiliated with nor authorised by the Complainant in any way, nor has the Complainant carried out any activity for, or conducted business with the Respondent. The Complainant has not granted any licence or authorisation to the Respondent to make use of the "AMUNDI" trademark or to apply for registration of the disputed domain names.

The Respondent has not filed any administrative compliant response. The Complainant's contention is, therefore, unchallenged.

Given the contentions and evidence adduced are unrefuted, the Panel finds there is no affiliation between the Complainant and Respondent that would give rise to any authorisation or licence to use the Complainant's "AMUNDI" trademark or to apply for the registration of the disputed domain names.

The Complainant also adduced evidence that shows the disputed domain names resolve to either a website offering open-source framework services or to an authentication page which it asserts may be used for the purpose of collecting personal information from the Complainant's customers.

The Panel is prepared to accept and find that the Respondent's purported use of the disputed domain names is not a bona fide offer of services or a legitimate use of domain names as there is a high likelihood of misleading consumers into believing that they are accessing the Complainant's website.

Accordingly, the Panel finds this ground made out.

## BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

The Complainant must demonstrate that the disputed domain names were registered and are being used in bad faith.

The Complainant's evidence of its global presence and reputation is unrefuted. See Amundi S.A. v John Crawford (2018) CAC 101803 where the Panel accepted that the Complainant has existed for a long time and is well-known.

The Complainant also asserts that most results from a Baidu search on the terms "AMUNDI BTC" refer to the Complainant.

Given the Respondent's failure to file any administrative compliant response together with the distinctiveness of the Complainant's trademark, the Panel is prepared to draw the inference that the Respondent was fully aware of the Complainant's trademark "AMUNDI" and its rights at the time of registration. It is, therefore, reasonable to infer that the Respondent intentionally sought to take advantage of the Complainant's international reputation and goodwill.

Further, the fact that the disputed domain names either resolve to a website offering unrelated open-source framework services or to an authentication page displaying a bitcoin logo shows the Respondent is attempting to attract, for commercial purposes, internet users to its websites. This conduct creates a likelihood of confusion with the Complainant's trademark as the source, sponsorship, affiliation, or endorsement of its website.

The Respondent's failure to provide any credible explanation of legitimate use leads the Panel to find that the disputed domain names were registered and are being used in bad faith.

Accordingly, the Panel accepts that the disputed domain names were registered by the Respondent and used in bad faith.

## PROCEDURAL FACTORS

**Consolidation Request**

There are two disputed domain names that appears to be registered to the same person or entity (li shi min).

The Complainant seeks to consolidate the disputed domain names into a single UDRP proceeding.

Under paragraph 10(e) of the Rules, the Panel has the power to consolidate multiple domain name disputes in accordance with the Policy and the Rules. Under paragraph 3(c), the Complaint may relate to more than one domain name, as in this case, provided that the disputed domain names are registered by the same domain name holder.

In support of the Consolidation Request, the Complainant contends:

- The owner of the disputed domain names is the same entity as they share the same name (li shi min).
- The same phone number (+86.17852341547) and the same email address (6416561@qq.com) are recorded.
- The disputed domain names also share the same structure (AMUNDI + BTC).

In addition, the evidence shows and the Panel finds the following:

- The disputed domain names were registered on the same day, i.e., August 26, 2025.
- The Registrar is the same entity for the disputed domain names, i.e., Web Commerce Communications Limited dba WebNic.cc.
- The Country seats for the disputed domain names are the same, i.e., stated to be located in "Hong Kong".

Accordingly, the Panel is satisfied that the disputed domain names are controlled or owned by a single person or entity, i.e., the Respondent, and will grant the Consolidation Request.

**Notification of proceedings to the Respondent**

When forwarding a Complaint, including any annexes, electronically to the Respondent, paragraph 2 of the Rules states that CAC shall employ reasonably available means calculated to achieve actual notice to the Respondent.

Paragraphs 2(a)(i) to (iii) set out the sort of measures to be employed to discharge CAC's responsibility to achieve actual notice to the Respondent.

On September 24, 2025 the CAC by its non-standard communication stated as follows (omitting irrelevant parts):

"CAC notified the Respondent about the administrative proceeding via available means of communication: email notification and written notice.

Please be aware that the CAC was not able to send the written notice to the Respondent as the address provided by the Registrar in Registrar verification: "la fei fei, 5200, HK and xiang gang 999077,HK" does not exist. The postal service provider was not able to deliver a written notice to such an address. No other address for correspondence was found on the disputed domain names.

No other address for correspondence was found on the disputed domain names.

As far as the e-mail notice is concerned, we received a confirmation that the e-mail notice sent to <postmaster@amundibtc.top> and <postmaster@amundibtc.vip> was returned back non-delivered as the e-mail address had permanent fatal errors.

The e-mail notice was also sent to <6416561@qq.com>, but we never received any proof of delivery or notification of non-delivery.

No further e-mail address could be found on the disputed site.

The Respondent never accessed the online platform."

Given the reasonable measures employed by CAC as set out in the above non-standard communication, 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 owns the international trademark "AMUNDI" as well as the domain name <amundi.com> used in connection with its goods and services.

The Respondent registered the disputed domain names on August 26, 2025, exactly 21 years after the registration of the Complainant's domain name <amundi.com> and nearly 15 years after its trademark registration.

The Complainant challenges the registration of the disputed domain names under paragraph 4(a) of the Uniform Domain Name Dispute Resolution Policy, seeking transfer of the disputed domain names.

The Respondent failed to file any administrative compliant response.

For the reasons articulated in the Panel's findings above, the Panel is satisfied that:

- The disputed domain names are confusingly similar to the Complainant's trademark "AMUNDI".
- The Respondent has no rights or legitimate interests in respect of the disputed domain names.
- The disputed domain names have been registered and are being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **amundibtc.top**: Transferred
2. **amundibtc.vip**: Transferred

## PANELLISTS

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| Name | **William Lye OAM KC** |

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| DATE OF PANEL DECISION | 2025-09-30 |

Publish the Decision