Decision for dispute CAC-UDRP-108032

Case number	CAC-UDRP-108032
Time of filing	2025-10-13 09:57:38
Domain names	clearstream.fashion, clearstream.xin, clearstream.pro

Case administrator

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

Complainant

Organization	Clearstream Services, société anonyme

Complainant representative

Organization	Grünecker Patent und Rechtsanwälte PartG mbB

Respondent

Organization	pimmtf

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 numerous trademark registrations for the word "CLEARSTREAM" in multiple jurisdictions, including:

Jurisdiction	Registration Number	Registration Date	Class(es)
Canada	TMA607002	5 April 2004	9, 36, 38, 42
Brazil	822663520	2 May 2006	36
Switzerland	P-516604	3 December 2003	9, 36, 42
Australia	2027265	3 August 2020	9, 35, 36, 38, 42

EUIPO	001403476	11 December 2000	9, 36, 42
UK	UK00901403476	11 December 2000	9, 36, 42
China	7620435	28 November 2010	36
US	2477515	29 November 1999	9, 36, 42

The disputed domain names were registered on the following dates:

- <clearstream.fashion> – registered on 13 August 2025
- <clearstream.xin> – registered on 13 August 2025
- <clearstream.pro> – registered on 10 August 2025

The Complainant's trademark registrations cited above all predate the Respondent's domain name registration dates.

FACTUAL BACKGROUND

The Complainant is a leading European supplier of post-trading services and a wholly owned subsidiary of Deutsche Börse AG. It supports the settlement of cash and securities transactions, manages and safekeeps a large volume of internationally traded securities, and has customers in over 110 countries. The Complainant operates its principal website at www.clearstream.com.

All three disputed domain names are registered with the same registrar using the identical registrant name "pimmtf", in all three cases accompanied by evidently fabricated address and contact information (always "pimmtf" and "112233"). All three disputed domain names are hosted at the same hosting service provider using the same IP address and resolve to nearly identical websites prominently displaying the Complainant's "CLEARSTREAM" trademark while promoting financial services that appear to be related to the Complainant's own financial offerings.

The Complainant has submitted several German-language online reports describing fraudulent activities conducted via the websites under www.clearstream.xin and www.clearstream.pro, namely a cryptocurrency investment scam targeting internet users.

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).

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).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and are 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. The Domain Registration Agreement for all disputed domain names is in English.

PRINCIPAL REASONS FOR THE DECISION

Each disputed domain names consists of the “CLEARSTREAM” mark in its entirety, with only the addition of the respective gTLD extension. This renders the disputed domain names identical to the Complainant’s “CLEARSTREAM” mark.

The Panel also finds that the Complainant successfully submitted prima facie evidence that the Respondent has made no use of, or demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services, nor is the Respondent making a legitimate non-commercial or fair use of the disputed domain names, nor is the Respondent commonly known under the disputed domain names. The Panel accepts the Complainant’s contention that the Respondent’s use of the disputed domain names amounts to impersonation and passing off. Both the composition of the disputed domain names and the design of the websites for which they are used clearly indicate impersonation. An impersonation website might be considered an “offering of goods or services”, but it is not a bona fide offering. This prima facie evidence was not contested by the Respondent.

The Panel further finds that the Complainant has successfully submitted prima facie evidence that the Respondent has registered and used the disputed domain names in bad faith, namely by intentionally attempting to attract, for commercial gain, internet users to its websites by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's websites (paragraph 4(b)(iv) of the Policy). The Panel accepts the Complainant’s contention that the Respondent has used the disputed domain names to promote its “financial services” which are similar to the Complainant’s own financial service offerings. The Panel also accepts the Complainant’s contention that these “financial services” that are offered under the disputed domain names are actually a form of cryptocurrency-related fraud, which is an evident case of bad faith. Again, this prima facie evidence submitted by the Complainant was not contested by the Respondent.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **clearstream.fashion**: Transferred
2. **clearstream.xin**: Transferred
3. **clearstream.pro**: Transferred

PANELLISTS

Name	**Dr. Thomas Schafft**

DATE OF PANEL DECISION 2025-11-19

Publish the Decision