Decision for dispute CAC-UDRP-108048

Case number	CAC-UDRP-108048
Time of filing	2025-10-17 08:48:07
Domain names	EURIZON-INVESTMENT.COM

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	Steve Jones

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 many national, regional and international registrations for the trade marks “EURIZON” and “EURIZON INVESTIMENTI” including but not limited to:

1. International registration No. 1338441 for the word mark “EURIZON,” granted on 15 December 2016, in class 36 and designating 8 countries in Asia and elsewhere;
2. EUTM No. 13847587 for the word mark “EURIZON,” filed on 18 March 2015 and granted on 31 August 2015, in classes 9, 16, 35, 36, 41 and 42;
3. EUTM No. 6337349 for the word mark “EURIZON INVESTIMENTI,” filed on 5 October 2007, granted on 23 July 2008 and duly renewed, in classes 9, 16, 35, 36, 41 and 42;
4. UKTM No. 00003283128, for the word mark, “EURIZON,” filed on 17 January 2018, granted on 22 June 2018, in class 36;
5. UKTM No. 00913847587 for the word mark “EURIZON,” filed on 18 March 2015 and granted on 31 August 2015, in classes 9, 16, 35, 36, 41 and 42;
6. UKTM No. 00906337349 for the word mark “EURIZON INVESTIMENTI,” filed on 5 October 2007, granted on 23 July 2008 and duly renewed, in classes 9, 16, 35, 36, 41 and 42.

In addition, The Complainant and its subsidiary, Eurizon Capital SGR S.p.A., are also the owners of several domain names including the word mark “EURIZON” including EURIZON.EU, .IT, .UK, .BIZ, .HK, .SK, .AI, .CAPITAL, .NET, .INFO, .EURIZONINVESTMENTS.COM and .IT.

FACTUAL BACKGROUND

The Complainant is the Intesa Sanpaolo Group, a leading and well-known Italian banking group and a major European financial institution with extensive international operations. Eurizon Capital SGR is the asset management company of the Complainant, specializing in products for retail and institutional customers. It manages assets of around 400 billion euros. In turn it owns Eurizon Capital SA an asset management company established in 1988 in the Grand Duchy of Luxembourg and Eurizon SLJ Capital Limited a UK subsidiary registered in England and Wales and regulated by the Financial Conduct Authority and has registered office at 90 Queen Street, London.

The disputed domain name <eurizon-investment.com> was registered on 20 August 2025 and does not resolve to any active website but to an error type page as at 13 October 2025 and also on 18 November 2025 when visited by the Panel.

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

Under paragraph 4(a) of the Policy, the Complainant must prove all of:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and

(ii) the respondent has no rights or legitimate interests in respect of the domain name; and

(iii) the domain name has been registered and is being used in bad faith.

The Policy does not provide for a default decision and the Complainant must discharge its burden of proof on all of these three

limbs of the Policy.

1. Identical or Confusingly Similar to a trademark or service mark in which the Complainant has rights

The Complainant has registered rights in the trade marks listed above including the word marks for EURIZON and EURIZON INVESTIMENTI. The mark EURIZON is a play on the word Eurozone. In that sense it has a fanciful nature. Investmenti is just the plural in Italian of the generic term Investment and adds nothing to the similarity analysis. The registered marks of the Complainant were first registered in 2008 and have been used very extensively since then and have very likely acquired a reputation and fame in the financial sector. The criteria for identity are strict. The differences between the EURIZON INVESTIMENTI registered mark and the disputed domain name, <eurizon-Investment.com> are the hyphen and the "i". They are so minor as to be irrelevant even on the strict standard. The Panel finds the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

2. No Rights or Legitimate Interests

It is well established that there is a shifting evidential burden under this second limb of the Policy. Where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of proof shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests. See WIPO Case No. D2003-0455, Croatia Airlines d. d. v. Modern Empire Internet Ltd..

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. See the Forum Case No. FA 1781783, Skechers U.S.A., Inc. and Skechers U.S.A., Inc. II v. Chad Moston / Elite Media Group. The Respondent is not known by the disputed name in the WHOIS –rather he is a Mr. Steve Jones of the United States. The Respondent is not connected to nor affiliated with the Complainant and has not received a license or consent to use its marks in any way.

Here there is also no use by the Respondent for fair or legitimate or other purposes as there is no use at all. While passive holding is not per se bad faith, it is highly fact dependent. The criteria are set out in paragraph 3.3 of the WIPO Overview 3.0 and they include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put.

However, while there is no response, even on the face of the case this limb of the Policy is engaged due to the somewhat descriptive nature of the marks and the fact that marks with informational values may not provide much exclusivity. Does the disputed domain name reference and so target the Complainant? This is important as the Respondent, or anyone might have perfectly valid reasons to register Eurozone Investments as a domain with an inherent value. It can be used for legitimate and fair use. So, is this a case of targeting and typo squatting or is it a fair and legitimate use case? The Panel finds that this is a typosquatting case and the Respondent was intending to reference and target the Complainant and its well-known and distinctive EURIZON INVESTIMENTI marks. Mr. Steve Jones has not come forward to say otherwise or explain himself and his reasons for selecting the disputed domain name. The second element is satisfied.

3. Registered and Used in Bad Faith

The EURIZON and EURIZON INVESTIMENTI EUTM registered marks are distinctive and well-known. As discussed above, the disputed domain name suggests deliberate targeting of the Complainant's name and reputation in the financial services sector. We do not know if the MX records have been configured and that is often an indication of intended e-mail use and can be a powerful factor for bad faith. So, the targeting with passive holding, combined with a high risk of phishing and fraud, can support a finding of bad faith under the Telstra principles. In Telstra Corporation Limited v. Nuclear Marshmallows ", WIPO Case No. D2000-0003, what needs to be considered are: (i) the Complainant's mark needs to have a strong reputation or be highly distinctive and (ii) the (im)plausibility of any good faith use for the disputed domain name. Again, the Respondent has provided no explanation. If he had one, he should have come forward with it. He must have known of the Complainant's name and reputation given its fame and ubiquity online. The third element is satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **EURIZON-INVESTMENT.COM**: Transferred

PANELLISTS

Name	**Victoria McEvedy**

DATE OF PANEL DECISION 2025-11-24

Publish the Decision