Decision for dispute CAC-UDRP-108110

Case number	CAC-UDRP-108110
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Domain names	societe-boursorama.com, societe-boursorama.net

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BOURSORAMA

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondents

Name	Jean Houilliez
Name	Maxime Bercado

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

European Union trademark No. 1758614 for BOURSORAMA (filed July 13, 2000, registered October 19, 2001)

FACTUAL BACKGROUND

The Complainant is a pioneering online financial services company based in France, known for its online brokerage, financial information portal, and online banking services. Operating under the brand Boursorama (recently also referred to as BoursoBank), the Complainant has grown substantially since its founding in 1995. It is recognized as a leader in online banking in France, serving millions of customers (over 7 million by 2025) and operating the popular financial portal under the domain name <boursorama.com>.

The Complainant owns multiple trademark registrations for BOURSORAMA, including an European Union trademark No. 1758614 for BOURSORAMA (filed July 13, 2000, registered October 19, 2001).

The Complainant also owns various domain names incorporating its distinctive “BOURSO/BOURSORAMA” mark, such as

<boursorama.com> (registered March 1, 1998) and <bourso.com> (registered January 11, 2000).

The present dispute concerns two domain names: <societe-boursorama.com> and <societe-boursorama.net> (the “Disputed Domain Names”), both registered on November 2, 2025. The Disputed Domain Names are not being used for any active website or content.

PARTIES CONTENTIONS

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that:

(a) The Disputed Domain Names are confusingly similar to the Complainant’s trademark. The Complainant’s trademark is reproduced in its entirety. The addition of “societe” followed by a hyphen is not sufficient to escape the finding that the domain name is confusingly similar to the Complainant’s trademark. The addition of the gTLDs ".com" and ".net" does not change the overall impression of the designation as being connected to Complainant’s trademark.

(b) The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has not obtained any authorization from the Complainant to use the Complainant’s trademark as part of the Disputed Domain Names or otherwise. The Respondent is not known by the Disputed Domain Names. Moreover, the Disputed Domain Names are not being used in relation to a bona fide offering of goods or services and the Respondent is not making legitimate or fair use of the Disputed Domain Names. The Disputed Domain Names resolve to inactive pages. The Respondent has not made any use of the Disputed Domain Names since its registration, and it confirms that the Respondent has no demonstrable plan to use them. It demonstrates a lack of legitimate interests in respect of the Disputed Domain Names.

(c) Both the Respondent’s registration and use of the Disputed Domain Names establish the Respondent’s bad faith. The Respondent obviously knew the prior rights of the Complainant. The Disputed Domain Names resolve to pages with no activity and amount to passive holding, which evidences bad faith registration and use.

The Complainant requests transfer of the Disputed Domain Names.

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.

PRINCIPAL REASONS FOR THE DECISION

Consolidation: Multiple domain names

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In this respect, the Panel notes that the Disputed Domain Names <societe-boursorama.com> and <societe-boursorama.net> were both registered on November 2, 2025, and the corresponding WhoIs records identify the same registrar for each.

Given that the Disputed Domain Names share identical structural composition (the term "societe" combined with the Complainant's BOURSORAMA trademark, differing only by the applicable TLD), were registered on the same day, and do not correspond to any active website, the Panel considers these shared technical and factual elements to be clear indicators that the Disputed Domain Names are subject to common control. The Panel further notes that consolidation would serve the interests of procedural efficiency and would be fair and equitable to all parties, particularly as the Respondent(s) have not come forward to oppose consolidation or otherwise participate in the proceedings.

Accordingly, the Panel will address both Disputed Domain Names together in this single proceeding.

The Respondent has not replied to the Complaint.

Substantive issues

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

To succeed, in a UDRP complaint, a complainant must demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, as following:

a) that the disputed domain names registered by the Respondent are identical or confusingly similar to a trademark in which the Complainant has rights;

b) that the Respondent has no rights or legitimate interests in respect of the disputed domain names; and

c) that the disputed domain names have been registered or are being used in bad faith.

The Panel will further analyze the potential concurrence of the above circumstances.

Moreover, the Panel has taken note of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0") and, where appropriate, will decide consistent with the consensus views captured therein.

a) Identical or Confusingly Similar

Paragraph 4(a)(i) of the UDRP requires the Complainant to prove that each Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights. This element serves as a standing requirement and involves a straightforward comparison between the Complainant's mark and the domain name.

There is no dispute that the Complainant has established rights in the BOURSORAMA mark, by virtue of its trademark registrations and longstanding use. Therefore, the Panel is satisfied that the Complainant has registered trademark rights. See WIPO Overview 3.0, section 1.2.1.

The <societe-boursorama.com> and <societe-boursorama.net> domain names plainly incorporate the Complainant's BOURSORAMA trademark in its entirety. The only differences are the addition of the descriptive French word "société" (meaning "company") and the hyphen, and the different top-level domains ".com" and ".net".

The Panel finds that these differences do not dispel confusing similarity. The trademark BOURSORAMA remains the dominant and recognizable part of each Disputed Domain Name. The addition of a common or descriptive term (here, "societe") is insufficient to avoid confusion for purposes of the Policy. Prior UDRP panels have consistently held that when a domain name wholly incorporates a complainant's mark, the inclusion of other terms (whether generic, descriptive, or geographic) does not prevent a finding of confusing similarity. See also BOURSORAMA SA vs. tadouri nadia, CAC-UDRP-103778. In this case, "BOURSORAMA" is clearly identifiable within the Disputed Domain Names, and the prefix "societe-" does not change the overall impression of the domains as being related to the Complainant's mark. Internet users, seeing "societe-boursorama", are likely to assume a connection with Boursorama (for example, they might think it refers to the "Boursorama Company" or an official corporate site of Boursorama), especially given that "société" is a descriptive term that reinforces the notion of a business associated with Boursorama.

Furthermore, the addition of the generic top-level domains ".com" or ".net" is legally inconsequential in determining confusing similarity. See WIPO Overview 3.0, section 1.11. It is well established that the TLD is a technical requirement of domain name registration and is typically disregarded in the comparison of a domain name to a trademark. Whether the domain ends in ".com" or ".net" does not affect the perception of "societe-boursorama" as being linked to the trademark BOURSORAMA.

In summary, the Panel concludes that each of the Disputed Domain Names contains the Complainant's BOURSORAMA mark in its entirety and merely appends a descriptive term and a TLD. This is sufficient to find the Disputed Domain Names confusingly similar to the Complainant's trademark. The first element of the UDRP is therefore satisfied.

b) Rights or Legitimate Interests

Under Paragraph 4(a)(ii) of the UDRP, the Complainant must demonstrate that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names. The Policy (Paragraph 4(c)) provides a non-exhaustive list of circumstances in which a respondent might have rights or legitimate interests (for example, if the respondent is commonly known by the domain name, or is using it for a bona fide offering of goods or services, or for legitimate noncommercial fair use). However, the consensus view is that a complainant needs only to make a prima facie showing that the respondent lacks rights or legitimate interests, at which point the burden of production shifts to the respondent to rebut that showing. If the respondent fails to come forward with evidence of any rights or legitimate interests (as is the case here, since no Response was submitted), the prima facie case stands, and the complainant is deemed to have met this element.

In this proceeding, the Complainant has asserted that it has never authorized the Respondent to use the BOURSORAMA mark, nor is the Respondent affiliated with the Complainant in any way. The Complainant's trademark rights precede the Respondent's registration of the Disputed Domain Names by many years, and there is no evidence that "societe-boursorama" corresponds to the name of the Respondent or a business of the Respondent. Indeed, the available WhoIs information does not show the Respondent being commonly known by the Disputed Domain Names or by any name similar to BOURSORAMA.

The Respondent has not made any active use of the Disputed Domain Names since registration. Both <societe-boursorama.com> and <societe-boursorama.net> are inactive ("passively held") and do not host any content or offer any goods or services. Such non-use of a domain does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the domain. The Respondent has presented no justification for its registration of domains composed of the Complainant's well-known brand plus a descriptive term.

Additionally, the nature of the Disputed Domain Names (incorporating the BOURSORAMA mark along with the word "société") carries a risk of implied affiliation. It falsely suggests an official company website or corporate portal of the Complainant. Such use (or even potential use) by the Respondent would not be legitimate, as it would likely mislead Internet users. In the absence of any evidence of the Respondent's own rights or intended legitimate use, the Panel finds no basis to conclude that the Respondent has any rights or legitimate interests in the Disputed Domain Names.

Given the Complainant's unrebutted prima facie case, and the Respondent's silence in this proceeding, the Panel finds that the Respondent has no rights or legitimate interests in respect of <societe-boursorama.com> or <societe-boursorama.net>. The second element of the UDRP is satisfied.

c) Registered and Used in Bad Faith

Paragraph 4(a)(iii) of the UDRP requires the Complainant to prove that the Disputed Domain Names were registered and are being used in bad faith by the Respondent. The Policy's Paragraph 4(b) provides several examples of circumstances that constitute evidence of bad faith, though those examples are not exhaustive. In this case, the Complainant argues that the Respondent clearly had the Complainant's famous brand in mind when registering the Disputed Domain Names, and that the Respondent's passive holding of the domains amounts to bad faith use under the UDRP. The Panel agrees, and finds that the totality of circumstances demonstrates the Respondent's bad faith in the registration and use of the domains.

a) The Respondent's Knowledge of the Complainant's Mark: Given the distinctiveness and renown of the BOURSORAMA mark, it is not credible that the registration of "societe-boursorama" was a mere coincidence. Boursorama is a well-established brand in the financial sector, widely known in France (and internationally in financial circles) for its online banking and brokerage services. The Complainant's trademark rights date back to at least 2000/2001, and the brand has been prominently used online for over two decades. By 2025, Boursorama/BoursoBank had millions of customers and extensive media presence, meaning the mark BOURSORAMA had a strong reputation. The Panel believes that the Respondent, who registered the Disputed Domain Names in November 2025, almost certainly knew of the Complainant and its mark. Indeed, the domains explicitly combine the Complainant's mark with the French word for "company", strongly suggesting an intention to create a domain name that appears related to the Complainant. Previous UDRP panels have found that where a mark is well-known, registering a domain name that incorporates that mark (especially with an additional term related to the complainant's business) is typically indicative of bad faith targeting. See also BOURSORAMA SA vs. tadouri nadia, CAC-UDRP-103778. Here, the Respondent's choice of the term "BOURSORAMA" (which has no generic meaning and is a coined brand name of the Complainant) cannot be accidental. The only logical inference is that the Respondent registered these domains with full knowledge of the Complainant's rights and with the Complainant's mark in mind.

b) Passive Holding as Bad Faith Use: The Disputed Domain Names do not resolve to an active website or any legitimate content provided by the Respondent. This scenario of "passive holding" (inaction) does not preclude a finding of bad faith. UDRP jurisprudence (starting with the seminal Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003) has established that even if a respondent is not actively using a domain name (for a website, email, or other services), the registration can still be in bad faith if circumstances indicate that the respondent's passive holding is in furtherance of a bad faith purpose. Panels must examine all the circumstances to determine whether a domain name is used in bad faith even when it is inactive. In the present case, the Panel finds that the following circumstances, when considered together, point overwhelmingly to bad faith:

- The Complainant's mark is highly distinctive and well-known. This increases the likelihood that any use of "societe-boursorama" by someone other than the Complainant would be illegitimate. As noted above, BOURSORAMA is not a dictionary word one might randomly pick for a domain; it is a famous brand. The strong reputation of the trademark, and the timing and manner of the registrations, suggest the Respondent's intent was to capitalize on or otherwise abuse the Complainant's brand value.
- No evidence of any actual or contemplated good-faith use by the Respondent. The Respondent has provided no evidence of legitimate plans or purposes for the Disputed Domain Names. There is no website content, no demonstrable preparatory business use, and no indication that the Respondent ever intended a legitimate activity. The Respondent's lack of any content or

service is telling; as prior panels have noted, an “absence of evidence whatsoever of any actual or contemplated good faith use” can support a finding of bad faith in a passive holding case.
- Implausibility of any benign use: Given the composition of the Disputed Domain Names (the exact trademark plus a company-related term), it is effectively impossible to conceive of any legitimate use that the Respondent could make of <societe-boursorama.com> or <societe-boursorama.net> that would not infringe the Complainant’s rights or mislead consumers. Any active website under these names would likely lead the public to believe it’s an official site of Boursorama or somehow authorized by the Complainant. As the Complainant pointed out, any such use would risk passing off, fraud (such as phishing or impersonation), or other trademark-infringing activities. The Panel agrees that there is no plausible scenario in which the Respondent could put these domains to genuine use without violating the Complainant’s rights. Similarly, here the only conceivable uses (if any) would be illegitimate ones. The Respondent’s passive holding, in circumstances where any good-faith use is implausible, supports a finding of bad faith usage.
- The Respondent’s failure to respond or provide any explanation: While not determinative on its own, the Respondent’s choice not to participate in this proceeding leaves the Complainant’s contentions unchallenged. The Respondent did not rebut the inference that it was aware of the Complainant’s mark and had no legitimate reason for using it. Prior panels have taken a respondent’s silence into account, especially in passive-holding cases involving well-known marks. The lack of any claim of good faith amplifies the impression of bad faith conduct.

In addition, the fact that the Respondent registered two Disputed Domain Names, both incorporating the Complainant’s mark (in two different TLDs), on the same date, suggests a deliberate effort to block or abuse the mark across multiple fronts. While the UDRP’s bad faith examples under Paragraph 4(b) include a pattern of conduct of preventing a trademark owner from reflecting its mark in a domain (4(b)(ii)), the registration of two domains in this single case may or may not in itself constitute a “pattern”. Nonetheless, it does show the Respondent’s intent to cover more than one domain space with the Complainant’s brand, which reinforces the inference of opportunistic bad-faith registration (trying to control the “.com” and “.net” versions for potential misuse).

Considering all these factors, the Panel finds that the Respondent registered the Disputed Domain Names with knowledge of the Complainant’s well-known trademark and with the likely intent to create a domain name that would be confusingly similar to that mark. The passive holding of the domains in these circumstances constitutes bad faith use. As summarized in the WIPO Overview 3.0, panels have found passive holding to be bad faith when, inter alia, “the complainant’s trademark has a strong reputation, the respondent has provided no evidence of any actual or contemplated good faith use, the respondent concealed its identity, and there is no plausible legitimate use to which the domain can be put”. Those conditions are met here. (The case record does not indicate whether the Respondent used any privacy or false details to conceal its identity; however, even without that factor, the other circumstances are sufficiently compelling).

In conclusion, the Respondent’s conduct in registering two domain names that entirely incorporate the Complainant’s famous trademark, doing so without authorization, and passively holding them with no legitimate use, leads the Panel to conclude that the Disputed Domain Names were registered and are being held in bad faith. The third and final element of the Policy is satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **societe-boursorama.com**: Transferred
2. **societe-boursorama.net**: Transferred

PANELLISTS

Name	**Ganna Prokhorova**

DATE OF PANEL DECISION 2025-12-09

Publish the Decision