Decision for dispute CAC-UDRP-108631

Case number	CAC-UDRP-108631
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Domain names	bforbank.help

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BFORBANK

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	bforbank

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.

FACTUAL BACKGROUND

BFORBANK (hereinafter “Complainant”) is an online bank launched in October 2009 by the Crédit Agricole Regional Banks. The Complainant offers daily banking, savings, investment and credit (consumer and real estate) services. It counts over 450 000 clients and 600 employees.

The Complainant also owns a number of domain names, including the same distinctive wording “BFORBANK”, such as the domain name <bforbank.com>, registered since 16 January 2009.

The disputed domain name <bforbank.help> (hereinafter “disputed domain name”) was registered on 25 April 2026. According to the Registrar, the Respondent is ‘bforbank’. The Respondent’s provided address as being in Ivory Coast.

PARTIES CONTENTIONS

COMPLAINANT:
The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

RESPONDENT:

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 UDRP).

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 UDRP).

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 UDRP).

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

In the present case, the Respondent has not submitted any Response and consequently has not contested any of the contentions made by the Complainant. Therefore, the Panel proceeds to decide only on the basis of the Complainant's factual statements and the documentary evidence provided in support of them [Paragraph 5(f) of The Rules].

1. CONFUSING SIMILARITY

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark.

The WIPO Overview 3.0 in Paragraph 1.2.1 states: "Where the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case."

The WIPO Overview 3.0 in Paragraph 1.7 states: "[…] in cases where a domain name incorporates the entirety of a trademark […] the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing."

The WIPO Overview 3.0 in Paragraph 1.11.1 states: "The applicable Top Level Domain ("TLD") in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test."

In the present case, the Complainant has established that it owns the EU trademark consisting of the "BFORBANK" verbal element.

In the disputed domain name, the "BFORBANK" trademark is clearly recognizable and used in its entirety.

The addition of the <.help> TLD is not sufficient to prevent the finding of confusing similarity since it is regarded as a necessary technical requirement of registration.

This Panel is of the view that the disputed domain name is confusingly similar to the Complainant's trademark.

As a result, the Panel finds that the Complainant has satisfied Paragraph 4(a)(i) of the UDRP.

2. THE RESPONDENT´S LACK OF RIGHTS OR LEGITIMATE INTEREST IN THE DISPUTED DOMAIN NAME

The Panel finds that the Respondent lacks rights or legitimate interest in the disputed domain name.

According to Paragraph 4(a)(ii) of the UDRP, the Complainant shall make a case that the Respondent lacks rights and legitimate interests in the disputed domain name. If the Complainant fulfills this demand the burden of proof shifts to the Respondent and so

the Respondent shall demonstrate rights or legitimate interests in the disputed domain name. If the Respondent fails to prove its rights or legitimate interests, it is assumed that the Complainant satisfied the element of Paragraph 4(a)(ii) of the UDRP (see CAC Case No. 102430, Lesaffre et Compagnie v. Tims Dozman). Moreover, past panels were of the view that it is difficult or sometimes impossible to prove negative facts, i.e., absence of rights or legitimate interest on the part of the Respondent. In this respect, past panels referred to the WIPO Case No. D2000-1769, Neusiedler Aktiengesellschaft v. Vinayak Kulkarni. Within the meaning of Paragraph 4(a)(ii) of the UDRP, once the complainant has made something credible (prima facie evidence), the burden of proof shifts to the Respondent to show that he has rights or legitimate interests in the domain name at issue by providing concrete evidence.

The WIPO Overview 3.0 in Paragraph 2.5.1 states: “Generally speaking, UDRP panels have found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation.“

The Complainant states that the Respondent is identified in the Whois database as "bforbank", located in Ivory Coast. According to the Complainant, there is no reference of a company named “BFORBANK” in Cote d'Ivoire (proved by the submitted Google search results for the terms "BFORBANK Cote d'Ivoire"). The Complainant asserts that the Respondent registered the disputed domain name under the “BFORBANK” name to legitimize the registration.

The Respondent is not known by the Complainant. The Complainant contends that Respondent is not affiliated with nor authorized by the Complainant in any way. The Complainant contends that Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant neither carries out any activity for, nor has any business with the Respondent.

Likewise, the Complainant claims that neither license nor authorization has been granted to the Respondent to make any use of the Complainant’s trademark “BFORBANK” or apply for registration of the disputed domain name.

Furthermore, the Complainant provided evidence (screenshot of the respective website) that the disputed domain name resolves to a parking page with commercial links.

The Respondent did not file any Response to the Complaint. Thus, the Respondent failed to demonstrate rights or legitimate interest in the disputed domain name.

To the satisfaction of the Panel, the Complainant made a prima facie case that there is no connection between the Complainant and the Respondent and that the Respondent does not have authorization in the disputed domain name or in the “BFORBANK” trademark from the Complainant.

Moreover, the Respondent is using the disputed domain name in the way that it resolves to a parking page with commercial links, as evidenced by the Complainant. This use of the disputed domain name cannot be qualified as a bona fide use and no legitimate interest of fair use can be found in the given circumstances (see Forum Case No. FA 970871, Vance Int’l, Inc. v. Abend; WIPO Case No. D2007-1695, Mayflower Transit LLC v. Domains by Proxy Inc./Yariv Moshe).

In conclusion, the Panel is of the view that the Respondent has no rights or legitimate interest in the disputed domain name.

Therefore, the Panel finds that the Complainant has satisfied the requirement under Paragraph 4(a)(ii) of the UDRP.

3. THE REGISTRATION AND USE OF THE DISPUTED DOMAIN NAME IN BAD FAITH

The Panel finds that the Respondent registered and uses the disputed domain name in bad faith.

The WIPO Overview 3.0 in Paragraph 3.1.4 states: “Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith […].“

In the WIPO Case No. D2020-2116, VFS Global Services Private Limited v. WhoisGuard, Inc., Quijano & Associates / Narendra Singhmanushi, the Panel stated: “The Panel also determines that the Respondent’s use of the privacy protection service, WhoisGuard in the circumstances of the present case constitutes additional evidence of bad faith. Absent any explanation from the Respondent, the Panel cannot conceive of any plausible good faith use of the disputed Domain Name that could be made by the Respondent. The Respondent’s conduct in registering the disputed Domain Name therefore constitutes opportunistic bad faith.”

In the CAC Case No. 102827, JCDECAUX SA v. Handi Hariyono, the Panel stated that: “There is no present use of the disputed domain name but there are several active MX records connected to the disputed domain name. It is concluded that it is inconceivable that the Respondent will be able to make any good faith use of the disputed domain name as part of an e-mail address.”

In the present case, the Complainant has established that it owns the EU trademark for the “BFORBANK” term.

The Panel finds the disputed domain name to be confusingly similar (see part 1. above). This finding itself is one of the bad faith indicators.

The Complainant submitted the simple Google search results from which it is clear that all the results refer to the Complainant and its official pages. On the other hand, the identification of the Respondent is hidden (privacy protected) in the Whois information.

The submitted material “about the Complainant” and its business activities supports the finding that the Complainant has certain

reputation regarding the online banking services with nearly 500 000 clients since 2009. There is a 17-year gap between the Complainant's first business appearance and the registration date of the disputed domain name.

Therefore, the Panel is of the opinion that the Respondent must have been aware of the Complainant, its trademark and business activities at the moment of registering the disputed domain name on 25 April 2026.

As demonstrated by the Complainant, the disputed domain name leads Internet users to the parking page with commercial links that allegedly allow users to conduct online banking transactions or "check the account balance". Therefore, the links suggest that the respective website is connected to the official BFORBANK's online banking service. By that, the corresponding website creates further confusion in the minds of the consumers.

Finally, the Complainant submitted the screenshot of the DNS Query, according to which the disputed domain name has been set up with MX records and so the disputed domain name may be actively used for e-mail purposes. Based on the above findings, the Panel cannot see any possibility of legitimate email activities in connection with the disputed domain name from the Respondent.

Based on the previously mentioned facts, the Panel is of the view that the Respondent did not register and is not using the disputed domain name in good faith.

Following the above-mentioned, the Panel finds that the Complainant has satisfied conditions pursuant to Paragraph 4(a)(iii) of the UDRP.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **bforbank.help**: Transferred

PANELLISTS

Name	**Radim Charvát**

DATE OF PANEL DECISION 2026-06-03

Publish the Decision