Decision for dispute CAC-UDRP-108826

Case number	CAC-UDRP-108826
Time of filing	2026-07-09 12:59:03
Domain names	migrosbanking.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Migros-Genossenschafts-Bund

Complainant representative

Organization	SILKA AB

Respondent

Name	Adam Smith

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

Complainant provides evidence that it is the owner of numerous trademark registrations for the MIGROS and MIGROS BANK marks in a wide range of jurisdictions around the world. Accordingly, the Complainant has clearly established trademark rights in the MIGROS and MIGROS BANK marks for the purposes of the Policy.

FACTUAL BACKGROUND

Migros Bank serves as the financial services arm of the Complainant. Operating through a network of more than 70 branches across Switzerland, Complainant provides evidence that Migros Bank is one of the country's leading retail and commercial banks, reaching approximately 1.2 million customers. Complainant states that it operates the primary website for its MIGROS BANK business through the domain name <migrosbank.ch>, which was registered in 1996 and has been actively used since that year.

The Disputed Domain Name was registered in April 2026 and resolves to a parking page displaying the message: "Maintenance Mode. [/] This website is currently under maintenance. We'll be back online shortly". Complainant alleges that there apparently has not been any active use of the Disputed Domain Name since its registration.

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). A comparison between the Disputed Domain Name and the Complainant's trademarks reveals that the Disputed Domain Name wholly incorporates both the MIGROS and MIGROS BANK marks. The only distinction consists of the addition of the letters "ing" and the ubiquitous .com TLD. This minor variation does not affect the recognizability of the Complainant's trademarks, which remain immediately apparent within the Disputed Domain Name.

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). Complainant alleges that the Respondent has never obtained the Complainant's authorization, consent, or license to use the MIGROS or MIGROS BANK marks in any manner, including in connection with the registration or use of the Disputed Domain Name. Complainant alleges that there is nothing to suggest that the Respondent has engaged in a legitimate non-commercial or fair use of the Disputed Domain Name, nor that it has used the Disputed Domain Name without intent to derive commercial benefit, mislead Internet users, or otherwise take unfair advantage of the Complainant's trademark rights. Thus, Complainant alleges that the Respondent has made no bona fide, fair, or legitimate use of the Disputed Domain Name.

Respondent has failed to appear and provide any countervailing evidence or argument in response to Complainant's prima facie case as to this element of the Policy. Respondent does not allege any plausible use of the Disputed Domain Name that would not falsely imply a connection with the Complainant and its banking services. Therefore, the Panel finds that the Complaint satisfies this element.

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).

First, there seems to be a high likelihood that the contact details provided in connection with the Disputed Domain Name are inaccurate. This is evidenced by the clearly fictitious Respondent's address provided by the Registrar, namely "221B Baker Street, London," which is identical to the address of the well-known literary character Sherlock Holmes and currently corresponds to a location dedicated to that character.

Second, given the distinctive nature of the term "migrosbanking" and its strong association with the Complainant and its banking services which is evidenced in the Complaint and supporting Annexes, it is implausible that the Respondent selected the Disputed Domain Name independently or by coincidence. Rather, the composition of the Disputed Domain Name strongly suggests that the Respondent had the Complainant's trademarks and business activities specifically in mind when registering it. The Disputed Domain Name wholly incorporates the MIGROS and MIGROS BANK trademarks (adding the letters " ing solely", thereby forming the term "banking", which is essentially the same as "bank") and closely resembles the Complainant's official domain name, <migrosbank.ch>, through which the Complainant provides its banking services online. The Complainant submits, and the Panel agrees, that the Respondent was undoubtedly aware of the Complainant and its trademark rights when registering the Disputed Domain Name.

Third, Respondent's passive holding of the Disputed Domain Name has characteristics which are associated with a registration made in bad faith per WIPO Overview 3.1, Sec. 3.3. Specifically, the Disputed Domain Name incorporates the Complainant's MIGROS and MIGROS BANK marks in their entirety, it is difficult to think of any good faith use to which the Disputed Domain Name could be put by the Respondent (and Respondent offers no such explanation), and Respondent's address provided by the Registrar ("221B Baker Street, London") appears clearly fictitious.

Finally, the Complainant provides evidence of the configuration of MX records for the Disputed Domain Name, giving rise to a

significant risk that the Disputed Domain Name could be used to create email addresses ending in “@migrosbanking.com” and thereby facilitate deceptive or fraudulent communications. This issue is especially significant given that the Disputed Domain Name consists almost exclusively of the Complainant’s MIGROS and MIGROS BANK marks for banking services, and is similar to the Complainant’s official banking domain name <migrosbank.ch>. It is difficult to imagine any good faith use of the mail server attached to such a domain name, and Respondent offers no such explanation.

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

The Disputed Domain Name correlates to Complainant's longstanding banking trademarks and domain name. Respondent provided false contact information, and has failed to appear and offer any contrary explanation for its holding of the Disputed Domain Name or the configuration of MX records for it. The Panel deems that the presence of such MX records represents a severe risk of phishing or other fraudulent and abusive activities and, together with other evidence, supports an inference of bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **migrosbanking.com**: Transferred

PANELLISTS

Name	**Mike Rodenbaugh**

DATE OF PANEL DECISION 2026-08-04

Publish the Decision