

Decision for dispute CAC-UDRP-108864

Case number	CAC-UDRP-108864
Time of filing	2026-07-29 13:17:25
Domain names	clearstream-global.pro, clearstream-global.org

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
--------------	--

Respondents

Name	Allan Clay
Name	Emily Parker

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 several trademark registrations in numerous countries worldwide, including EU trademark registration no. 001403476 CLEARSTREAM, registered on December 11, 2000, and US trademark registration no. 2477515 CLEARSTREAM, registered on August 14, 2001, both for various goods and services in classes 9, 36, and 42 (hereinafter referred to as the "Trademark").

FACTUAL BACKGROUND

The Complainant is a leading European supplier of post-trading services. It is a wholly owned subsidiary of Deutsche Börse AG. Over 300,000 domestic and internationally traded bonds, equities, and investment funds are currently deposited with the Complainant. The Complainant maintains relationships with customers in over 110 countries. Its global network extends across 60 domestic markets. The Complainant's official website is available at "clearstream.com".

The disputed domain name <clearstream-global.pro> was registered on June 24, 2026, and is being used to send e-mails using the

address "compliance@clearstream-global.pro". In the e-mails, the sender pretends to be the Complainant's Compliance Management Team and requests a copy of the recipient's ID card as well as documentation of deposits made. The footer of the e-mail includes the Complainant's company name along with its stylized and colored official logo. On July 20, 2026, the Luxembourg Commission de Surveillance du Secteur Financier published a warning identifying the e-mail address used by the Respondent as an e-mail address used by unknown persons impersonating the Complainant. On July 22, 2026, the disputed domain name <clearstream-global.org> was registered with the same registrar. Both domain names use the same hosting provider for website and e-mail services.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant contends that the disputed domain names are confusingly similar to the Trademark, as they contain the Trademark in its entirety and descriptive or generic additions to a trademark do not prevent a finding of confusing similarity.

Furthermore, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names. In this regard, the Complainant states that the parties have never had any previous relationship, that the Respondent has not been authorized, licensed, or otherwise permitted by the Complainant to use any of its trademarks—including permission to use the trademark CLEARSTREAM as part of the disputed domain names—and that the Respondent is not commonly known by the disputed domain names.

Finally, the Complainant contends that the disputed domain names were registered and are being used in bad faith. In this regard, the Complainant contends that the Respondent is using the disputed domain name to send fraudulent phishing emails and is deliberately targeting the Complainant, which is evidence of bad faith registration. As to bad faith use, the Complainant argues that the Respondent's fraudulent activities in connection with the disputed domain name "clearstream-global.pro" clearly constitute bad faith. As to "clearstream-global.org", the Complainant argues that even if this domain name is not used in connection with active content or for sending e-mails, such passive holding constitutes bad faith in the present case. Furthermore, the Complainant argues that the Respondent's actions also constitute bad faith under paragraph 4(b)(ii) of the Policy, as the Respondent registered several domain names including the Trademark and has therefore engaged in a pattern of such conduct.

Lastly, the Complainant requests the consolidation of the proceedings with regard to both domain names. It argues that the temporal proximity between the publication of the warning by the Luxembourg Commission de Surveillance du Secteur Financier and the registration of the second domain name, the identity regarding the registrar, hosting, and mail service providers, as well as the fact that the registrant information for both domain names contains the same defects (missing street number, non-existent phone numbers) and that both domain name holders use e-mail addresses from the same (unusual) e-mail service provider, leave no other conclusion than that both domain names are under common control.

RESPONDENT:

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

Paragraph 10(e) of the Rules grants a panel the power to consolidate multiple domain name disputes. At the same time, paragraph

3(c) of the Rules provides that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. When considering a complaint filed against multiple respondents, section 4.11.2 of the WIPO Overview 3.0 states that "panels look at whether (i) the domain names or corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario."

In light of the Complainant's request to consolidate the multiple Respondents, the Panel has concluded that the disputed domain names are indeed under common control for the following reasons:

- All of the disputed domain names were registered with the same registrar within less than one month;
- The disputed domain names are identical, differing only in their domain extensions;
- The disputed domain names all use the same name and mail servers;
- The e-mail addresses linked to the supposed domain name registrants use the same e-mail service provider: "@atomicmail.io"; and
- The WHOIS information used in connection with the domain names contains the same defects.

Furthermore, the Respondent has not contested or provided any rebuttal regarding the consolidation request made by the Complainant. Therefore, the Panel finds that consolidation would be fair and equitable and will refer to the five registrants collectively as the "Respondent" throughout this decision.

PRINCIPAL REASONS FOR THE DECISION

Paragraph 4(a) of the Policy requires the Complainant to establish each of the following three elements:

- (i) the disputed domain names are identical or confusingly similar to the Complainant's trademark;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

1. The Panel accepts that the disputed domain names are confusingly similar to the Trademark. The addition of the generic term "global" does not prevent a finding of confusing similarity, as the Trademark is clearly recognizable within the disputed domain names.

2. The Complainant has substantiated that the Respondent has no rights or legitimate interests in the disputed domain names. The Panel therefore finds that the Complainant has fulfilled its prima facie obligations under paragraph 4(a)(ii) of the Policy. The Respondent did not dispute these assertions in any way and, therefore, failed to demonstrate any rights or legitimate interests in the disputed domain names.

Based on the evidence before it, the Panel finds no rights or legitimate interests of the Respondent in the disputed domain names. In particular, the disputed domain names are not generic, and the Respondent's use of the disputed domain names in connection with fraudulent e-mails does not give rise to any rights or legitimate interests.

Accordingly, the Panel finds that the Complainant has proven that the Respondent has no rights or legitimate interests in respect of the disputed domain names under paragraphs 4(a)(ii) and 4(c) of the Policy.

3. The Panel is satisfied that the Respondent registered and used the disputed domain names in bad faith.

First, the Panel is satisfied that the Respondent registered the disputed domain names with full knowledge of the Complainant and the Trademark, and therefore in bad faith. The Respondent deliberately targeted the Complainant by sending fraudulent e-mails that included the Complainant's stylized and colored official logo. It is inconceivable that the Respondent registered the disputed domain names in good faith.

Second, by using the disputed domain names in the manner described above, the Respondent also used the disputed domain names in bad faith. It is well established that using a domain name to deceive a complainant's customers constitutes disruption of a complainant's business within the meaning of paragraph 4(b)(iii) of the Policy. Furthermore, such use also constitutes an intentional attempt to attract Internet users for commercial gain by creating a likelihood of confusion as to source or affiliation within the meaning of paragraph 4(b)(iv) of the Policy.

Consequently, the Panel finds that the Respondent registered and used the disputed domain names in bad faith and that the Complainant has satisfied the requirements of paragraph 4(a)(iii) of the Policy.

Accepted

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

- 1. clearstream-global.pro: Transferred
- 2. clearstream-global.org: Transferred

PANELLISTS

Name	Peter Müller
------	--------------

DATE OF PANEL DECISION	2026-09-02
------------------------	------------

Publish the Decision