

Decision for dispute CAC-UDRP-108880

Case number	CAC-UDRP-108880
Time of filing	2026-08-03 10:07:09
Domain names	clearstream.ltd

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

Respondent

Name	VLADYSLAV ANTONENKO
------	---------------------

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, inter alia, a registered owner of the following **trademark** containing the word element "CLEARSTREAM":

(i) CLEARSTREAM (word), EU trademark, application date 29 November 1999, registration date 11 December 2000, trademark no. 001403476, registered for goods and services in the international classes 9, 36 and 42.

in addition to other national or international trademarks registered for the CLEARSTREAM denomination.

(referred to as "Complainant's trademarks").

The Complainant also operates its official website under the domain name <clearstream.com>, and the CLEARSTREAM name is a dominant part of its business (company) name.

FACTUAL BACKGROUND

The **Complainant**, Clearstream Services, société anonyme, is a wholly owned subsidiary of Deutsche Börse AG and a leading European supplier of post-trading services. The Complainant manages, safekeeps, and administers securities deposited on behalf of its customers, ensuring the effective delivery of cash and securities between trading parties.

Currently, over 300,000 domestic and internationally traded bonds, equities, and investment funds are deposited with the Complainant. Its global operations settle more than 250,000 transactions daily, servicing customers across more than 110 countries with a network spanning 60 domestic markets.

The **disputed domain name** <clearstream.ltd> was registered on 23 July 2026 and is held by the Respondent.

The **disputed domain name website** (i.e. website available under internet address containing the disputed domain name) is currently inactive and does not resolve to any active website.

However, as proven by the Complainant, the disputed domain name website at least for some time resolved to an imitative website falsely claimed to be operated by "Clearstream Holding AG". As a contact address, the website displayed the address of Deutsche Börse Group ("Mergenthalerallee 61, 65760 Eschborn, Deutschland").

The Complainant seeks the **transfer of the disputed domain name** to the Complainant.

PARTIES CONTENTIONS

COMPLAINANT:

A) CONFUSING SIMILARITY

The Complainant states that:

- The disputed domain name <clearstream.ltd> is identical to the Complainant's trademarks, as the CLEARSTREAM element is contained within the disputed domain name without any additions or deletions.
- TLDs (including ".ltd") are disregarded when assessing identity or confusing similarity, as they are standard registration elements.

B) NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant states that:

- The parties have no prior relationship, and the Complainant has not licensed, authorized, or permitted the Respondent to use the Complainant's CLEARSTREAM trademarks within the disputed domain name.
- The second-level domain incorporates the Complainant's trademarks, creating a false impression of affiliation. Furthermore, the resolving website actively impersonates the Complainant by claiming to be operated by "Clearstream Holding AG" and displaying the physical address of Deutsche Börse Group.
- The Respondent is not commonly known by the disputed domain name, as evidenced by a search engine query yielding zero results referring to the Respondent.
- The disputed domain name was registered recently (July 23, 2026), well after the Complainant established its rights in the well-known CLEARSTREAM marks.
- The Respondent therefore has no rights or legitimate interests in the disputed domain name

C) BAD FAITH REGISTRATION AND USE

The Complainant states that:

- The disputed domain resolves to a competing, imitative website using Complainant's trademarks without authorization.
- The Respondent uses the disputed domain name to exploit the Complainant's reputation, draw Internet users to the site, generate traffic, and commit fraud.
- Accordingly, the Complainant concludes that the domain name was registered and is being used in bad faith.

RESPONDENT:

The Respondent has not provided any response to the Complaint.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical 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

A) The first UDRP element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademarks and the disputed domain name(s).

This test typically involves a side-by-side comparison of the disputed domain name and the textual components of the relevant trademark to assess whether the trademark is recognizable within the disputed domain name.

In cases where a disputed domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in such domain name, the disputed domain name will normally be considered confusingly similar to that trademark for purposes of UDRP standing.

In such case, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.

Applying the principles described above, The Panel finds that the disputed domain name is identical to Complainant's trademarks.

The domain incorporates Complainant's CLEARSTREAM trademarks in its entirety with no additional elements.

For the sake of completeness, the Panel asserts that the top-level suffix in the disputed domain name (i.e. the ".LTD") must be disregarded under the identity and confusing similarity tests as it is a necessary technical requirement of registration.

Consequently, the disputed domain name is identical to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

B) NO RIGHTS OR LEGITIMATE INTERESTS

According to established UDRP precedent, once the Complainant makes a prima facie case that the Respondent lacks such rights or legitimate interests, the burden shifts to the Respondent to show otherwise.

In this case, the Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not identified in the WHOIS record by the disputed domain name and there is no evidence that the Respondent is commonly known by it. The Complainant has further stated that it has no relationship with the Respondent and has not licensed, authorized, or otherwise permitted the Respondent to use Complainant's trademarks or to register any domain name incorporating it.

The disputed domain name resolved to an imitation website, trading on the goodwill of Complainant's trademarks to mislead Internet users. Currently it is inactive. Such use cannot be considered a bona fide offering of goods or services or a legitimate non-commercial or fair use under paragraph 4(c) of the Policy.

The Respondent has not come forward with any evidence to rebut the Complainant's prima facie case or to demonstrate any rights or legitimate interests in the disputed domain name.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name within the

meaning of paragraph 4(a)(ii) of the Policy.

C) BAD FAITH

The Complainant’s trademark has been registered and widely used for many years prior to the registration of the disputed domain name.

The Panel notes that the term “CLEARSTREAM” is distinctive and closely associated with the Complainant. In these circumstances, it is not likely that the Respondent registered the disputed domain name without knowledge of the Complainant’s trademarks and reputation.

The disputed domain name resolved to an imitation website, trading on the goodwill of Complainant’s trademarks to mislead Internet users. Currently it is inactive. Such use cannot be considered a bona fide offering of goods or services or a legitimate non-commercial or fair use under paragraph 4(c) of the Policy.

The Panel notes the following specific bad faith behaviour of the Respondent:

- **Impersonation:** The Respondent has populated the website at the disputed domain name with the Complainant’s own corporate identity, including its address.
- **Confusion for Profit:** By masquerading as the Complainant, the Respondent is leveraging the reputation of the Complainant’s trademarks to divert consumers for its own commercial gain

This constitutes evidence of bad faith registration and use within the meaning of paragraph 4(b)(iv) of the Policy.

Thus, the Panel has taken a view that 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.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. clearstream.ltd: Transferred

PANELLISTS

Name	Jiří Čermák
------	-------------

DATE OF PANEL DECISION 2026-09-08

Publish the Decision