Decision for dispute CAC-UDRP-109092

Case number	CAC-UDRP-109092
Time of filing	2026-10-22 10:00:22
Domain names	ITNESASANPAOLO.COM

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	Intesa Sanpaolo S.p.A.

Complainant representative

Organization	Intesa Sanpaolo S.p.A.

Respondent

Name	MARIAN TITU

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, Intesa Sanpaolo S.p.A., relies on its rights in the word marks INTESA SANPAOLO and INTESA, in particular by virtue of the following trademark registrations:

1. international trademark registration No. 920896 INTESA SANPAOLO, registered on March 7, 2007, for goods and services in classes 9, 16, 35, 36, 38, 41 and 42;
2. international trademark registration No. 793367 INTESA, registered on September 4, 2002, for services in class 36;
3. European Union trademark registration No. 5301999 INTESA SANPAOLO, filed on September 8, 2006 and registered on June 18, 2007, for services in classes 35, 36 and 38; and
4. European Union trademark registration No. 12247979 INTESA, filed on October 23, 2013 and registered on March 5, 2014, for goods and services in classes 9, 16, 35, 36, 38, 41 and 42.

The Complainant further relies on a number of domain names incorporating its trademarks, including <intesasanpaolo.com>, through which it operates its official website.

The disputed domain name <itnesasanpaolo.com> was registered on May 2, 2025.

FACTUAL BACKGROUND

The Complainant is an Italian banking group resulting from the merger, effective as of January 1, 2007, of Banca Intesa S.p.A. and Sanpaolo IMI S.p.A. According to its corporate presentation updated as at October 7, 2026, the Complainant serves approximately 13.9 million clients in Italy through a network of more than 2,600 branches. Outside Italy, it has more than 900 branches and approximately 7.5 million customers, with subsidiaries operating in commercial banking in 12 countries in Central and Eastern Europe and in the Middle East and North Africa, and an international network of specialists supporting corporate customers in 24 countries. The Complainant operates its official website at <intesasanpaolo.com>.
The disputed domain name <itnesasanpaolo.com> was registered on May 2, 2025. At the time of the filing of the Complaint, the identity of the registrant was not publicly available. The Registrar's verification disclosed the Respondent, Marian Titu, with an address in Trestieni, Giurgiu, Romania, as the registrant of the disputed domain name.

The evidence on record shows that the disputed domain name has been used to redirect Internet users to third-party websites relating to online gambling. According to the Complainant's cease-and-desist letter of June 12, 2025, which reproduces screenshots of the relevant webpages, the disputed domain name was then connected to a registration page of an online casino operating under the name "JOYA casino" at <joya.casino>, which requested visitors to provide their username, first and last name, country, city and telephone number, and, by clicking on the logo shown on that page, to the homepage of that casino, which offered casino games and promoted a welcome bonus. A screenshot dated September 22, 2026 shows a webpage at <lotto60.com> announcing the forthcoming launch of an online gambling service under the name "Lotto60", advertising a prize of up to 1,000,000 USDT and inviting visitors to enter their first name and e-mail address.

On June 12, 2025, the Complainant's attorneys sent a cease-and-desist letter by e-mail to the address abuse@private.design, requesting the transfer of the disputed domain name to the Complainant. There is no evidence on record that the letter was answered.

The Respondent filed a Response on November 10, 2026. After the Response had been filed, the Complainant submitted an unsolicited supplemental filing.

PARTIES CONTENTIONS

The Complainant contends that each of the three elements set out in paragraph 4(a) of the Policy is satisfied. Its contentions may be summarised as follows.

As to the first element, the Complainant submits that the disputed domain name is identical or, at least, confusingly similar to its INTESA SANPAOLO and INTESA trademarks. It contends that the disputed domain name exactly reproduces the INTESA SANPAOLO trademark, with the mere inversion of the letters "n" and "t" in its verbal element "INTESA", which represents a clear example of typosquatting, referring to WIPO Case No. D2001-1314, Deutsche Bank Aktiengesellschaft v. New York TV Tickets Inc., and that Internet users might therefore believe that the disputed domain name is connected to the Complainant.

As to the second element, the Complainant submits that the Respondent has no rights in the disputed domain name, that any use of the INTESA SANPAOLO and INTESA trademarks must be authorised by the Complainant, and that nobody has been authorised or licensed to use the disputed domain name. It contends that the disputed domain name does not correspond to the name of the Respondent and that, to the best of the Complainant's knowledge, the Respondent is not commonly known as "ITNESASANPAOLO". The Complainant further contends that there is no fair or non-commercial use of the disputed domain name.

As to the third element, the Complainant submits that its INTESA SANPAOLO and INTESA trademarks are distinctive and well known around the world, and that the registration of a domain name confusingly similar to them indicates that the Respondent had knowledge of the Complainant's trademarks at the time of registration of the disputed domain name, all the more so as even a basic Internet search for those terms would have yielded obvious references to the Complainant. It contends that the disputed domain name is not used for any bona fide offering and that, within the meaning of paragraph 4(b)(iv) of the Policy, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademarks, the disputed domain name having been connected to a webpage requiring personal data for registration with an online casino. In that respect, the Complainant relies on, among others, WIPO Case No. D2000-0753, Encyclopaedia Britannica Inc. v. Shedon.com, which it cites for the proposition that the ownership of a domain name consisting of a misspelling of the complainant's domain name and used to hyperlink to a gambling site demonstrates bad faith registration and use, as well as WIPO Case No. D2000-1500, Microsoft Corporation v. StepWeb, and WIPO Case No. D2001-1335, The Vanguard Group, Inc. v. Venta. The Complainant further contends that diversion practices are frequent in the banking sector owing to the high number of online banking users, that it has been the complainant in numerous previous UDRP proceedings in which the disputed domain names were transferred or cancelled, and that the Respondent did not comply with its cease-and-desist letter of June 12, 2025.

The Respondent submits that the disputed domain name is not identical to the Complainant's INTESA SANPAOLO trademark since, although there is some similarity in spelling, it is not an exact match. The Respondent states that the disputed domain name is not intended to impersonate the Complainant or to mislead its customers, and that it has no intention of engaging in any malicious, fraudulent, phishing or abusive activity through it. According to the Respondent, the disputed domain name has been used solely for website redirection as part of the search engine optimisation ("SEO") and link-management activities of the Respondent's website,

and it is not intended to represent, impersonate or claim any affiliation with the Complainant. The Respondent did not submit any evidence in support of its contentions.

In its unsolicited supplemental filing, the Complainant reiterates its contentions that the disputed domain name is a case of typosquatting and that it was registered with knowledge of the Complainant's trademarks, relying additionally on the results of an Internet search for the term "ITNESASANPAOLO". It further contends that there is no evidence that the disputed domain name is used solely for website redirection as part of SEO and link-management activities, since it redirects to a webpage requiring personal data for registration with an online casino.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is 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 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 Complaint was filed with the Czech Arbitration Court (the "CAC") in accordance with the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for the Uniform Domain Name Dispute Resolution Policy (the "Rules") and the CAC Supplemental Rules (the "Supplemental Rules").

The Complaint was initially filed against an unidentified respondent. Following the Registrar's verification, which disclosed the registrant of the disputed domain name, the CAC notified the Complainant of an administrative deficiency in the Complaint, and the Complainant filed an amended Complaint identifying the Respondent.

The CAC verified that the amended Complaint satisfied the formal requirements of the Policy, the Rules and the Supplemental Rules. The CAC formally notified the Respondent of the Complaint, and the administrative proceeding commenced on October 23, 2026. The Respondent submitted a Response on November 10, 2026, within the time limit set in accordance with paragraph 5(a) of the Rules. The Panel was appointed in accordance with the Rules. The Panel has submitted its Statement of Acceptance and Declaration of Impartiality and Independence, as required by the CAC to ensure compliance with the Rules.

After the Response had been filed, the Complainant submitted an unsolicited supplemental filing entitled "Response to the Respondent's reply", accompanied by a further annex. The Rules do not provide for unsolicited supplemental filings. Pursuant to paragraph 12 of the Rules, it is for the Panel to request, in its sole discretion, further statements or documents from either of the Parties, and pursuant to paragraph 10 of the Rules, the Panel determines the admissibility, relevance, materiality and weight of the evidence, while ensuring that the Parties are treated with equality and that the proceeding takes place with due expedition. Panels generally accept unsolicited supplemental filings only where the submitting party shows their relevance to the case and explains why it was unable to provide the information concerned in its earlier submission, for example owing to an exceptional circumstance (WIPO Overview 3.1, section 4.6). The supplemental filing largely reiterates the contentions made in the Complaint, and the Internet search results could have been produced together with the Complaint. Its only new element is a reply to the Respondent's explanation concerning the use of the disputed domain name, which the Respondent has had no opportunity to address. Since the Panel has been able to reach its findings on the basis of the Complaint, the Response and the evidence submitted with them, the Panel does not find it necessary to rely on the supplemental filing and has not taken it into account in reaching its decision.

The language of the proceedings is English, being the language of the registration agreement as confirmed by the Registrar.

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

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:

1. The domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
2. The respondent has no rights or legitimate interests in respect of the domain name; and
3. The domain name has been registered and is being used in bad faith.

The Respondent has filed a Response, and the Panel has considered the contentions and the evidence submitted by both Parties. Pursuant to paragraph 15(a) of the Rules, the Panel decides the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

I. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

Pursuant to paragraph 4(a)(i) of the Policy, the Complainant must establish that the disputed domain name is identical or confusingly similar to a trademark or service mark in which it has rights.

The Complainant has established, by the evidence on record, that it holds rights in the word mark INTESA SANPAOLO, in particular by virtue of the international trademark registration No. 920896, registered on March 7, 2007. A nationally or regionally registered trademark prima facie satisfies the threshold requirement of having trademark rights for the purposes of the first element (WIPO Overview 3.1, section 1.2.1). Having regard to the composition of the disputed domain name, the Panel considers it appropriate to compare it with the INTESA SANPAOLO trademark; it is therefore unnecessary to examine the Complainant's INTESA trademarks separately.

The first element functions primarily as a standing requirement and involves a side-by-side comparison of the disputed domain name and the textual components of the relevant trademark (WIPO Overview 3.1, section 1.7). The disputed domain name <itnesasanpaolo.com> reproduces all the letters of the INTESA SANPAOLO trademark in the same order, save that the second and third letters, "n" and "t", are transposed, so that the element "intesa" becomes "itnesa". The omission of the space between the two words of the trademark is immaterial, since spaces cannot be used in domain names. The INTESA SANPAOLO trademark remains clearly recognisable in the disputed domain name, which differs from it in a manner characteristic of an inadvertent typing error. A domain name consisting of an obvious or intentional misspelling of a trademark, of which the transposition of letters is a typical example, is considered confusingly similar to that trademark for the purposes of the first element (WIPO Overview 3.1, section 1.9; see also WIPO Case No. D2001-1314, Deutsche Bank Aktiengesellschaft v. New York TV Tickets Inc., cited by the Complainant).

The Respondent's argument that the disputed domain name is not an exact match of the INTESA SANPAOLO trademark does not alter that conclusion. Paragraph 4(a)(i) of the Policy is satisfied where the disputed domain name is either identical or confusingly similar to the complainant's trademark; identity is not required. The Panel accepts that the disputed domain name is not identical to the Complainant's trademark, but finds it to be confusingly similar to it.

The generic Top-Level Domain ".com" is a standard registration requirement and is, as a rule, disregarded for the purposes of the assessment under the first element (WIPO Overview 3.1, section 1.11.1).

The Panel accordingly finds that the disputed domain name is confusingly similar to the Complainant's INTESA SANPAOLO trademark, and that the first element of paragraph 4(a) of the Policy is satisfied.

II. The respondent has no rights or legitimate interests in respect of the disputed domain name

Pursuant to paragraph 4(a)(ii) of the Policy, the Complainant must establish that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

In accordance with consistent UDRP practice, the burden of proof under this element rests upon the Complainant. However, given that proving a negative fact lying within the exclusive knowledge of the Respondent would entail an excessive evidentiary burden, it suffices for the Complainant to make out a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once such a prima facie case is established, the burden of production shifts to the Respondent to demonstrate that it does possess rights or legitimate interests within the meaning of paragraph 4(c) of the Policy. If the Respondent fails to come forward with relevant allegations and evidence, the Complainant is generally deemed to have satisfied the second element (WIPO Overview 3.1, section 2.1).

In the present case, the Panel is satisfied, on the basis of the Complainant's submissions and the evidence on record, that:

1. The Respondent is identified as "Marian Titu", a name which bears no resemblance to the disputed domain name, and there is nothing on record to suggest that the Respondent is commonly known by the disputed domain name or holds any trademark or other rights in the term "itnesasanpaolo". The Respondent has not claimed otherwise.
2. The Respondent is not affiliated with the Complainant, and the Complainant has granted the Respondent neither a licence nor any other authorisation to use the INTESA SANPAOLO trademark or to register a domain name incorporating it. The Respondent has not disputed this.
3. The disputed domain name has not been used in connection with a bona fide offering of goods or services or for a legitimate noncommercial or fair use. The evidence on record shows that the disputed domain name has been used to redirect Internet users to third-party websites promoting online gambling services and inviting visitors to submit their personal data.

The composition of the disputed domain name reinforces that conclusion. The disputed domain name does not combine the Complainant's trademark with any term which might indicate a purpose unrelated to the Complainant; it reproduces the INTESA SANPAOLO trademark with a minor typographical variation which Internet users are unlikely to notice. Such a domain name carries a high risk of implied affiliation with the Complainant and cannot constitute fair use (WIPO Overview 3.1, section 2.5.1).

The Panel has considered the Respondent's explanation that the disputed domain name has been used solely for website redirection as part of the SEO and link-management activities of its website. That explanation does not establish rights or legitimate interests. First, it is not supported by any evidence. The Respondent has neither identified the website concerned nor described the nature of its activities, and it has not explained why it chose a domain name consisting of a misspelling of the Complainant's trademark. Second, and in any event, the explanation confirms rather than rebuts the Complainant's case. The Panel can see no value in a domain name which differs from the trademark of a major banking group only by the transposition of two letters, for the purposes of search engine optimisation or link management, other than the traffic generated by Internet users who mistype the Complainant's trademark or the address of its official website. The use of a domain name which trades on a complainant's trademark to redirect Internet users to other commercial websites does not support a claim to rights or legitimate interests (WIPO Overview 3.1, section 2.5.3), nor can it be regarded as a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy.

The Respondent's assurances that it does not intend to impersonate the Complainant or to engage in any malicious, fraudulent or phishing activity are likewise unsupported and, even if accepted, would not give rise to rights or legitimate interests. The Complainant has not alleged phishing or fraud, and the absence of such activity does not render legitimate a use which consists in diverting, for commercial purposes, Internet users who mistype the Complainant's trademark.

The Panel therefore finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent, although it has filed a Response, has not rebutted that prima facie case and has not demonstrated any of the circumstances set out in paragraph 4(c) of the Policy, or any other basis on which rights or legitimate interests might be founded.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the second element of paragraph 4(a) of the Policy is satisfied.

III. The disputed domain name has been registered and is being used in bad faith

Pursuant to paragraph 4(a)(iii) of the Policy, the Complainant must establish that the disputed domain name has been registered and is being used in bad faith. Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances which, if found by the Panel to be present, shall be evidence of registration and use in bad faith.

As to registration in bad faith, the Panel is satisfied, on the evidence submitted, that the INTESA SANPAOLO trademark had acquired a substantial reputation long before the registration of the disputed domain name on May 2, 2025. The Complainant has operated under the name Intesa Sanpaolo since the merger which created it in 2007, and its INTESA SANPAOLO trademark registrations relied on in these proceedings date from the same year. The Complainant is one of the leading banking groups in Italy, serving approximately 13.9 million clients there, and it has a substantial presence outside Italy, with approximately 7.5 million customers and banking subsidiaries in 12 countries. The combination of the elements "Intesa" and "Sanpaolo", which derives from the names of the two banks whose merger created the Complainant, is distinctive and is not a term which a third party would naturally adopt otherwise than by reference to the Complainant.

The composition of the disputed domain name confirms that it was selected with the Complainant in mind. The disputed domain name reproduces the INTESA SANPAOLO trademark letter for letter, with the sole transposition of the letters "n" and "t". The resulting string "itnesasanpaolo" has no meaning of its own; it corresponds precisely to an error which an Internet user may make when typing the Complainant's trademark or the address of its official website at www.intesasanpaolo.com. The Panel can see no explanation for the choice of that sequence of letters other than a deliberate imitation of the Complainant's trademark, and the Respondent has offered none. Panels have found that the mere registration, by an unaffiliated party, of a domain name comprising a typographical variation of a famous or widely known trademark may by itself create a presumption of bad faith (WIPO Overview 3.1, section 3.1.4).

The Response does not rebut that presumption. The Respondent does not deny having been aware of the Complainant and its trademark when it registered the disputed domain name, and it puts forward no reason for its choice of the disputed domain name. On the contrary, the Respondent's own explanation that the disputed domain name has been used for SEO and link-management purposes indicates that it was registered for the value of the traffic which it was likely to attract by reason of its similarity to the Complainant's trademark.
The Panel accordingly finds that the Respondent registered the disputed domain name with knowledge of, and with the intention of targeting, the Complainant and its INTESA SANPAOLO trademark.

As to use in bad faith, paragraph 4(b)(iv) of the Policy provides that bad faith is evidenced where, by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location.

The evidence on record shows that, within weeks of its registration, the disputed domain name was used to redirect Internet users to the registration page of an online casino requesting their personal data and, more recently, to a webpage promoting a forthcoming online gambling service and inviting visitors to submit their name and e-mail address. The screenshot dated September 22, 2026 shows the landing page at <lotto60.com> rather than the disputed domain name itself. However, the Respondent does not dispute that the disputed domain name redirected Internet users to the websites shown in the Complainant's evidence, and it expressly confirms that the disputed domain name has been used for website redirection. Internet users who mistype the Complainant's trademark or domain name, expecting to reach the website of a bank, are thus diverted to websites promoting gambling services which have no connection with the Complainant. The disputed domain name attracts those users solely by reason of its confusing similarity to the Complainant's trademark. The Respondent's own explanation that the redirection serves the SEO and link-management activities of its website confirms that the redirection was intended to procure a commercial benefit, whether for the Respondent's own website or for the third-party websites to which Internet users were diverted. Such use falls within paragraph 4(b)(iv) of the Policy. Panels have found that redirecting a domain name to a different respondent-owned website, or otherwise seeking to cause confusion for the respondent's commercial benefit, supports a finding of bad faith (WIPO Overview 3.1, section 3.1.4). In a case cited by the Complainant, bad faith under paragraph 4(b)(iv) of the Policy was likewise found where a domain name consisting of a misspelling of the complainant's trademark had been used to hyperlink to a gambling site, albeit in conjunction with the respondent's practice of registering misspellings of third-party trademarks (WIPO Case No. D2000-0753, Encyclopaedia

Britannica Inc. v. Shedon.com).

The Respondent's statement that it has no intention of impersonating the Complainant or of engaging in malicious, fraudulent or phishing activity does not alter that assessment. Paragraph 4(b)(iv) of the Policy does not require impersonation of the complainant or fraud; it is sufficient that the respondent intentionally exploits the likelihood of confusion with the complainant's trademark to attract Internet users for commercial gain. The Panel further notes that the Internet users so diverted are users seeking a banking institution, and that the websites to which they were directed invited them to submit personal data.

The Panel notes that the Complainant's cease-and-desist letter of June 12, 2025 was sent to the e-mail address abuse@private.design, and that there is no evidence on record that it reached the Respondent. The Panel therefore draws no inference from the absence of a reply to that letter, and its findings do not depend on it.

Having regard to the distinctiveness and reputation of the Complainant's trademark, the composition of the disputed domain name as a deliberate typographical variant of that trademark, the use of the disputed domain name to redirect Internet users to commercial gambling websites, and the absence of any credible explanation from the Respondent, the Panel finds that the disputed domain name was registered and is being used in bad faith, and that the third element of paragraph 4(a) of the Policy is satisfied.

Conclusion

All three elements set out in paragraph 4(a) of the Policy having been established to the satisfaction of the Panel, the Panel concludes that the Complaint is well-founded. In accordance with the remedy requested by the Complainant, and pursuant to paragraph 4(i) of the Policy, the Panel orders that the disputed domain name <itnesasanpaolo.com> be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **ITNESASANPAOLO.COM**: Transferred

PANELLISTS

Name	**Petr Hostaš**

DATE OF PANEL DECISION 2026-11-23

Publish the Decision