

## **ADMINISTRATIVE PANEL DECISION**

**Belfius Bank S.A. / Belfius Bank N.V. v. Mapima Mappangpang**  
**Case No. D2023-0040**

### **1. The Parties**

The Complainant is Belfius Bank S.A. / Belfius Bank N.V., Belgium, represented by Marieke Roseeuw, Belgium.

The Respondent is Mapima Mappangpang, Denmark.

### **2. The Domain Name and Registrar**

The disputed domain name <belfiusinfo.online> (“the Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 5, 2023. On January 5, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 5, 2023, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 9, 2023. In accordance with the Rules, paragraph 5, the due date for Response was January 29, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 30, 2023.

The Center appointed Dawn Osborne as the sole panelist in this matter on February 6, 2023. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is a Belgian bank and financial services provider. The Complainant owns the trade mark BELFIUS registered, *inter alia*, as European Union (“EU”) Trade Mark No. 010581205 for financially related services, registered on May 24, 2012.

The Domain Name was registered on July 8, 2022 and does not resolve to an active website.

#### **5. Parties’ Contentions**

##### **A. Complainant**

The Complainant’s contentions can be summarised as follows:

The Complainant owns the trade mark BELFIUS registered, *inter alia*, in the EU for financially related services since 2012.

The Domain Name registered in 2022 is confusingly similar to the Complainant’s BELFIUS trade mark containing it in its entirety with the addition of the term “info”, none of which distinguishes the Domain Name from the Complainant’s mark. The generic Top-Level Domain (“gTLD”) “.online” is viewed as a standard registration requirement and as such is disregarded for the purpose of determining whether a domain name is identical or confusingly similar to a trademark.

The Respondent has no rights or legitimate interests in the Domain Name, is not commonly known by it and is not authorised by the Complainant.

The Domain Name has not been used. So this is not a *bona fide* offering of goods or services or a legitimate noncommercial or fair use. It is registration and use in opportunistic bad faith, passively holding a domain name containing a mark with a reputation.

##### **B. Respondent**

The Respondent did not reply to the Complainant’s contentions.

#### **6. Discussion and Findings**

##### **A. Identical or Confusingly Similar**

The Domain Name consists of the Complainant’s BELFIUS mark (which is registered, *inter alia*, in the EU for financially related services since 2012), the term “info” and a gTLD “.online”.

Previous panels have found confusing similarity when a respondent merely adds a term to a Complainant’s mark. The addition of the term “info” does not prevent a finding of confusing similarity between the Domain Name and the Complainant’s mark. The gTLD “.online” is viewed as a standard registration requirement.

Accordingly, the Panel holds that the Domain Name is confusingly similar to the Complainant’s registered mark.

As such the Panel holds that paragraph 4(a)(i) of the Policy has been satisfied.

## **B. Rights or Legitimate Interests**

The Complainant has not authorised the use of its mark. The Respondent has not answered this Complaint and there is no evidence or reason to suggest the Respondent is, in fact, commonly known by the Domain Name.

There has been no use of the Domain Name which is being passively held. It is commonly held that inactive use is not a *bona fide* offering of goods or services pursuant to Policy 4(c)(i) and by itself does not demonstrate a legitimate noncommercial or fair use.

The Respondent has not answered this Complaint and has not rebutted the *prima facie* case evidenced by the Complainant as set out herein.

As such the Panel finds that the Respondent does not have rights or a legitimate interests in the Domain Name and that the Complainant has satisfied the second limb of the Policy.

## **C. Registered and Used in Bad Faith**

The Respondent has not made any active use of the Domain Name. Previous UDRP panels have found evidence of bad faith registration and use pursuant to Policy 4(a)(iii) where a respondent fails to make any active use of a domain name containing a mark with a reputation. See *DCI S.A. v. Link Commercial Corporation*, WIPO Case No. [D2000-1232](#) (concluding that the respondent's [failure to make active use of the] domain name satisfies the requirement of 4(a)(iii) of the Policy). The Complainant asserts that the Respondent must have known of its name due to the reputation of its mark. The Respondent has not responded and, therefore, has not denied that this is the case. The Respondent is passively holding a Domain Name containing the Complainant's mark.

The overriding objective of the Policy is to curb the abusive registration of domain names in circumstances where the registrant seeks to profit from or exploit the trade mark of another. Passive holding of a domain name containing an established third party mark is not enough to disprove an allegation of bad faith registration and use in such circumstances. See *Telstra Corporation Limited v Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

As such, the Panel holds that the Complainant has made out its case that the Domain Name was registered and used in bad faith and has satisfied the third limb of the Policy.

## **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Domain Name <belfiusinfo.online> be transferred to the Complainant.

*/Dawn Osborne/*

**Dawn Osborne**

Sole Panelist

Date: February 15, 2023