



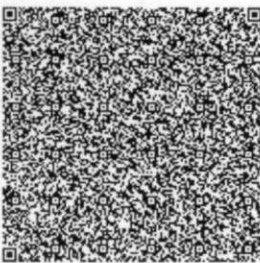
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INDIA NON JUDICIAL

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e-Stamp

Certificate No.	: IN-DL76693081144548L
Certificate Issued Date	: 08-Feb-2013 12:50 PM
Account Reference	: IMPACC (IV)/ dl766303/ DELHI/ DL-DLH
Unique Doc. Reference	: SUBIN-DL76630353034915434927L
Purchased by	: SANJAY KUMAR SINGH
Description of Document	: Article Others
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0
	(Zero)
First Party	: SANJAY KUMAR SINGH
Second Party	: Not Applicable
Stamp Duty Paid By	: SANJAY KUMAR SINGH
Stamp Duty Amount(Rs.)	: 100
	(One Hundred only)



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CREDIT INDUSTRIEL ET COMMERCIAL SA

-- COMPLAINANT

VS

DUAN ZOUCHUN

-- RESPONDENT

DOMAIN NAME "CIE-BANQUES.CO.IN"

BEFORE SHRI SANJAY KUMAR SINGH ARBITRATOR
IN DOMAIN NAME DISPUTE RESOLUTION POLICY (INDRP)

IN THE MATTER OF:

CREDIT INDUSTRIEL ET COMMERCIAL S.A

6, avenue de Provence

75009 PARIS, FRANCE

THROUGH

MEYER & Partenaires

Patent and Trademark Attorneys

CS50052

67012 STRASBOURG CEDEX

FRANCE

E-mail: dns@mever-partenaires.com

....**COMPLAINANT**

Versus

Duan Zuochun

Xin Xiang Zhou Chang Ye Road 70

Anjuyuan 33 Dong 1-7-4 SHOP

Zhuhai, Guangdong 519000

China

E-mail: domainlaw@foxmail.com

....**RESPONDENT**

1. THE PARTIES:

The Complainant in this administrative proceeding is CREDIT INDUSTRIEL ET COMMERCIAL S.A. in summary CIC, 6 avenue de Provence, 75009 Paris, France, a limited company registered under the laws of France 542 016 381 R.C.S PARIS.

(The Complainant's authorized representative in this administrative proceeding is: MEYER & Partenaires, Patent and Trademark Attorneys, CS50052, 67012 STRASBOURG CEDEX, France, E-mail: dns@mever-partenaires.com.)

Sanjay Kumar Singh

The Complainant's contact details are: CREDIT INDUSTRIEL ET COMMERCIAL S.A., 6 avenue de Provence, 75009 Paris, France. E-mail: domain-admin@cicbanques.eu

The Complainant's preferred method of communications directed to the Complainant in this administrative proceeding is: Electronic-only material, Method: E-MAIL: dns@meyer-partenaires.com

The Respondent in this administrative proceeding is: Duan Zuochun, Xin Xiang Zhou Chang Ye Road 70, Anjuyuan 33Dong 1-7-4 SHOP, Zhuhai, Guangdong 519000, China, Email: domainlaw@foxmail.com

2. DOMAIN NAME AND TRADEMARK IN DISPUTE:

Domain name of the respondent is "**CIC-BANQUES.CO.IN**"

The trademark of the complainant is CREDIT INDUSTRIEL ET COMMERCIAL "**CIC**" and "**CIC BANQUES**".

3. PROCEDURAL HISTORY:

This arbitral proceeding commenced in accordance with IN Dispute Resolution Policy (INDRP) and rules framed there under.

The present dispute pertains to the domain name "**CIC-BANQUES.CO.IN**" in favour of the respondent.

The complainant submitted his complaint in the registry of NIXI against the respondent in respect to the respondent's Domain name "**CIC-BANQUES.CO.IN**".

The complainant herein has filed the instant complaint challenging the registration of the domain name "**CIC-BANQUES.CO.IN**" in favour of the respondent.

I was appointed as Sole Arbitrator in the matter by NIXI.

The complainant submitted the said complaint under In Domain Name Dispute Resolution Policy (INDRP).

A copy of complaint was sent to me by the NIXI for arbitration in accordance with Dispute Resolution Policy (INDRP). The copy of the complaint along with

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annexures/exhibits was forwarded to me and to the respondent by .In Registry of NIXI.

On 13-01-2013 I issued notice to the respondent and informed the respective parties to the complaint, about my appointment as an arbitrator. Accordingly, I called up on the parties to file their counter/ reply and rejoinder with the supportive document/evidence within seven days of receipt of notice.

On 27-01-2013 I again issued notice to the respondent and further directed the respective parties to the complaint, to file their counter/ reply and rejoinder with the supportive document/evidence.

I have perused the records and have gone through the contents of the complaint. Since respondent has not filed any reply hence the complaint is being decided ex-parte on the merits of the complaint and as per law of the land.

4. FACTUAL BACKGROUND:

4.1. The complainant has submitted 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 is registered and is being used in bad faith.

4.2. The complainant has submitted that CREDIT INDUSTRIEL ET COMMERCIAL in summary CIC, (hereafter the Complainant) has filed the complaint against DUAN ZUOCHUN hereafter the Respondent) alleging an abusive registration and use of the domain name CIC-BANQUES.CO.IN and seeks the transfer of this domain.

4.3. The complainant has submitted the complaint for decision in accordance with the .IN Domain Name Dispute Resolution Policy (INDRP) and Rules [Rule 3(b) (i)].

4.4. The complainant has submitted that CREDIT INDUSTRIEL ET COMMERCIAL en abrege CIC is a French banking group tracing its origin back to 1859.

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- 4.5. The CIC has today about 4, 4 million clients with a network of 2103 branches in France. This group comprises five regional banks. The complainant has submitted evidence as *Annex C and C I* in its support.
- 4.6. The complainant has submitted the CIC' specialized network is organized around four (4) trades: the private banking, the capital development, the financial banking and the network' support trades. The complainant has submitted evidence as *Annex D* in its support.
- 4.7. The complainant has submitted that it has also an international presence and frame through branches displayed all over the world: Europe (15 branches), Africa (4 branches), Latin America (5 branches), North America (1 branch) and Asia (11 branches) (international networks) and the complainant has submitted evidence as *Annex E* in its support.
- 4.8. The complainant has submitted that CREDIT INDUSTRIEL ET COMMERCIAL S.A. carries out this international presence and development in 50 countries and it owns branches in countries such as India, SA, China, Great Britain, Greece, Lebanon, Brazil, for instance. CIC is the acronym, the trade name and the trademark used by the Complainant since its origin and CIC has a main portal available at <http://www.cic.fr> since 2000. The complainant has submitted evidence as *Annex F* in its support.
- 4.9. The domain name CIC-BANQUES.CO.IN was registered by individual named DUAN ZUOCHUN, on January 4, 2012. DUAN ZUOCHUN is the registrant, the administrative and technical Contact for the CIC.
- 4.10. The Complainant has contended that the registrant is a well-known cyber squatter who is the owner of other domain name which infringe third parties right as CIC-BANQUE.CO.IN, INTERSPORT.BIZ (Community Trademark INTERPSORT No. 296574), CARESTREAM-HEALTH.COM (International Trademark CARESTREAM No. 984482) and LESAGEPARIS.COM (International Trademark LESAGE No. 545673).
- 4.11. The Complainant has submitted that the respondent has already been condemned to the transfer of ownership of infringed domain name, notably by the way of INDRP. The complainant has relied on :

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- a) Case NO. INDRP/255: GD PHARMACEUTICALS PRIVATE LIMITED V. DUAN ZUOCHUN regarding <boroline.co.in> (transfer);
- b). Case No. INDRP/185: SENSIENT TECHNOLOGIES CORPORATION & SENSIENT INDIA PRIVATE LIMITED v. DUAN ZUOCHUN regarding <sensient.in> (transfer).

4.12. The Complainant has submitted that it is hard to imagine any good purpose or legitimate interests from DUAN ZUOCHUN in registering and using the domain name CIC-BANQUES.CO.IN as such the complainant decided to submit this matter to .IN REGISTRY.

5. THE COMPLAINANT HAS RIGHTS IN TRADEMARKS "CIC" and "CIC BANQUES":

5.1. The Complainant has submitted that CIC is the trade name and the acronym of the Complainant, used in commerce since 1859 and CREDIT INDUSTRIEL ET COMMERCIAL is the registered owner of a large number of trademarks consisting or including the wording "CIC" in France and abroad. CIC is French nominative trademark no 1358524 of June 10, 1986. This trademark constitutes the renewal of a trademark dated June 26, 1976, registered under the No. 959999. This trademark has been renewed on June 10, 1996, live.

5.2. The complainant has relied on CIC Community nominative trademark No. 005891411 of May 10, 2007, CIC Union Europeenne de CIC International trademark No. 582446 of February 18, 1992. The complainant has annexed Annexure G1 - G3 in support of its claim.

5.3. The Complainant has submitted that CREDIT INDUSTRIEL ET COMMERCIAL is also the owner of trademarks containing the wording CIC BANQUES:

CIC BANQUES French nominative trademark No. 1682713 of July 24, 1991
- live

CIC BANQUES International registration No. 585098 of April 10, 1992 -
live

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- 5.4. The complainant has annexed Annexure H1 – H2 in support of its claim. The complainant has submitted that CIC's reputation, the trademarks "CIC" and "CIC BANQUES" acquired a great fame and are well and widely known throughout the world and easily recognizable as such.
- 5.5. The Complainant has submitted that the trademarks "CIC" and "CIC BANQUES" owned by the CREDIT INDUSTRIEL ET COMMERCIAL are not only registered and used in commerce in a great majority of countries in the world, but are also well-known in the sense of article 6bis of the Paris Union Convention.
- 5.6. The Complainant has further submitted that the INDRP Registry has already recognized the well-known character of the Complainant trademarks:

INDRP Case/209 Credit Industrial et Commercial S.A. & CM-CIC SECURITES v. DOMAIN MASTERS / JUWEL POON regarding <cic-securities.in>: "The Complainants' CIC (and CIC SECURITIES) marks are famous and well-known throughout the world, including India."

- 5.7. The Complainant has further submitted that CREDIT INDUSTRIEL ET COMMERCIAL is also the registrant generic and country code top-level domain names as under:

CIC.FR (Annex 11)

CIC.EU (Annex 12)

CIC.ASIA (Annex 13)

CIC.MOBI (Annex M4)

CICBANQUES.COM (Annex 15)

CICBANQUE5.FR (Annex 16)

CICBANQUES.MOBI (Annex 17)

CICBANQUES.ORG (Annex 118)

CICBANQUES.BIZ (Annex 19)

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CICBANQUES.ASIA (Annex 110)

CICBANQUES.EU (Annex 111)

CIC-BANQUES.FR (Annex 112)

CIC-BANQUES.EU (Annex 113)

CICBANQUE.COM (Annex 114)

CICBANQUE.FR (Annex 115)

CICBANQUE.ORG (Annex 116)

CIC-BANQUE.COM (Annex 117)

CIC-BANQUE.FR (Annex 118)

CIC-BANQUE.NET (Annex 119)

- 5.8. The Complainant has further submitted that Euro-Information, the computing subsidiary of the Complainant, is also the owner of the following domain names:

CIC-BANQUES.NET (Annex J1)

CIC-BANQuES.ORG (Annex J2)

CICI-BANQuEs.B1z (Annex J3)

CICBANQUES.INFO (Annex J4)

- 5.9. The Complainant has claimed that as a consequence, it should indisputably be considered that the Complainant has trademarks rights on the wordings CIC and CIC BANQUES.

- 5.10. The Complainant claims that the domain name CIC-BANQUES.CO.IN is similar to its trademarks "CIC" and "CIC BANQUES". It has been submitted by the complainant that mere adjunction of the country code top level extension "IN" or ".CO.IN" (India) to the trademarks has to be ignored in assessing the identity or confusingly similarity.

- 5.11. The complainant has relied on following decisions:

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- a) INDRP/125 LEGO JURIS AS v. ROBERT MARTIN regarding the domain name <lego.co.in>: "The administrator finds that the disputed domain name <lego.co.in> is identical or confusingly similar to the Complainant's trademark except for the tld <.co.in> identified. The TLD can be disregarded for purposes of assessing similarity of the domain name to the trademark For the reasons discussed, the Arbitrator finds that the disputed domain name <lego.co.in> is confusingly similar to the Complainant's LEGO trademark".
- b) INDRP/118 STARBUCKS CORPORATION v. MOHANRAJ regarding <starbucks.co.in> (transfer).

6. CONFUSING SIMILARITY WITH THE TRADEMARK "CIC":

The Complainant has claimed that:

- I. The trademark "CIC" is entirely reproduced in the disputed domain names.
 - II. The domain name combines the Complainant's trademark with the descriptive wording BANQUES, which refers to the main activity of the Complainant.
- 6.1. The Complainant has submitted that the combination of the trademark CIC with the wording BANQUES does not avoid the risk of confusion with the Complainant's trademark. The complainant has referred the case law, that the addition of descriptive or generic terms to a distinctive or well-known trademark does not serve to distinguish the domain names in issue from the Complainant's trademark.
- 6.2. The complainant has relied on INDRP Case/209 Credit Industriel et Commercial S.A. & CM-CIC SECURITES v. DOMAIN MASTERS / JUWEL POON regarding <cic-securities.in>: "The combination of the trademark CIC with the wording SECURITIES does not eliminate the risk of confusion with the Complainant's trademark. The addition of descriptive or generic terms to a distinctive or well-known trademark does not Se/'Ve to distinguish the domain name in issue from the Complainant's trademark.

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The Complainants' CIC and CIC SECURITIES marks are famous and well known throughout the world including India. It is clearly seen that the disputed domain name <cic-securities.in> wholly incorporates CIC and CIC SECURITIES, the prior trade marks of the Complainants. The disputed domain name <cic-securities.in> is identical to its trademarks "CIC SECURITIES" and similar to the complainants prior trademark "CIC" and similar to Complainant's domain names <www.cic.fr> and <www.cic-securities.info>'

- 6.3. The complainant has relied on WIPO CASE D2005-0458 regarding <cicbank.com>: "The fact the word BANK is added to Complainant's trademark does not eliminate the similarity between the Complainant's trademark and the disputed domain name, as "Bank" is a descriptive component of the disputed domain name."
- 6.4. The complainant has submitted that it is moreover well recognized that incorporating a trademark in its entirety, particularly if the mark is an international well-known mark, is sufficient to establish that the domain name is identical and confusingly similar to the Complainant's registered mark.
- 6.5. The complainant has submitted that it is indeed well established that domain name suffixes are disregarded to the purpose of this comparison.

7. CONFUSING SIMILARITY WITH THE TRADEMARK "CIC BANQUES":

- 7.1. The complainant, CIC claims that the domain name CIC-BANQUES.CO.IN is identical to the trademark CIC BANQUES; the suffixes ".CO.IN" and the dash between CIC and BANQUES being disregarded to the purpose of the comparison between a previous trademark and a litigated domain name.
- 7.2. The Complainant has claimed that the domain name CIC-BANQUE.CO.IN is similar to its trademark CIC and identical, at least very confusingly similar to its trademarks CICBANQUES.
- 7.3. The Complainant has claimed that DUAN ZUOCHUN has no rights or legitimate interests in respect of the domain name CIC-BANQUES.CO.IN and further DUAN ZUOCHUN should be considered as having neither rights

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nor legitimate interests in respect of the domain name CIC-BANQUES.CO.IN.

- 7.4. The Complainant has further claimed that the respondent is indeed not related in any way to the Complainant's business: he is not one of its agents and does not carry out any activity for, nor has any business with the Complainant.
- 7.5. The Complainant has further claimed that no license or authorization has been granted to DUAN ZUOCHUN to make any use, nor apply for registration and/or use of the disputed domain name, which is very confusingly similar, or even identical with the Complainant's trademarks.
- 7.6. The Complainant has further claimed that Previous Panels have held that such behavior could constitute evidence that the respondent has no rights or legitimate interests in the disputed domain name. See for instance:
- 7.7. The Complainant has relied on Case No. INDRP/255: GD PHARMACEUTICALS PRIVATE LIMITED v. DUANZUOCHUN regarding <boroline.co.in> (transfer): wherein it has been held that the Complainant has established a prima facie case of lack of rights and legitimate interest and the Respondent has failed to rebut the presumption of absence of rights or legitimate interests.
- 7.8. The Complainant has further claimed that considering the above, and based on the record, the Respondent does not have rights or legitimate interests in the disputed domain name as the Respondent's current use is neither an example of a bona fide offering of goods or services nor is there any legitimate non-commercial or fair use of the disputed domain name and as such there is no evidence that paragraphs 7(ii) or 7(iii) of the Policy apply. The Complainant asserts that they have not licensed or otherwise authorized the Respondent to use their trademark. The Respondent has no rights or legitimate interests in respect of the disputed domain name".
- 7.9. The Complainant has relied on Case NO. INDRP/185: SENSIENT TECHNOLOGIES CORPORATION & SENSIENT INDIA PRIVATE LIMITED v. DUAN ZUOCHUN regarding <sensient.in> (transfer):

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Wherein it has been held that the sole purpose of registering the domain name www,sensient.in by the respondent is to derive illegal profits by offering the domain name for sale. The Panel also found, on the basis of the material available on record, that the respondent has no legitimate right or interest in the disputed domain name. The Panel also found the respondent has failed to show any justification for the adoption, use or registration of disputed domain name. The Panel, therefore held that the circumstances listed above, demonstrates rights or legitimate interests of the Complainant(s) in the domain name (sensient.in) and held that respondent has infringed the rights of the Complainant(s) by registering the Domain Name and has no legitimate right or interest therein".

7.10. Similarly the complainant has also relied on INDRP/125 LEGO JURIS AS v. ROBERT MARTIN regarding the domain name <|ego.co.in> (transfer): wherein it has been held that the Respondent has no rights or legitimate interests in the disputed domain name.

7.11. The Complainant as such has claimed that DUAN ZUOCHUN should not be considered as having rights or legitimate interest in respect of the domain name CIC-BANQUES.CO.IN.

8. BAD FAITH REGISTRATION (.IN DRP 3(b) (VI) (3)):

8.1. The Complainant has claimed the respondent have ignored the trademarks "CIC" and "CIC BANQUES" at the time he applied for the disputed domain name CIC-BANQUES.CO.IN, given that the complainant's trademarks have a reputation all around the world in the field of banking and financial services, notably through its online services. Moreover, the Complainant is embedded in China and in the United States, where the Respondent is apparently located. Furthermore, the Complainant is also embedded in India (in New Delhi).

8.2. The Complainant has claimed it is thus reasonable to conclude that only someone who was familiar with the CIC's trademarks was likely to register the disputed domain name.

8.3. The Complainant has relied on INDRP/164 CONFEDERATION NATIONALE DU CREDIT MUTUEL v. DOMAINS MASTERS regarding

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<creditmutue|.co.in> (transfer): wherein it has been held that that the respondent had no previous connection with the disputed domain name and any use of the disputed domain name by the respondent, would result in confusion and deception of the trade, consumers and public, who would assume a connection or association between the Complainant and the Respondent's website or other online locations of the Respondents or product/services on the respondent's website and otherwise, due to the use by respondent of the Complainant's said trademark [CREDIT MUTUEL] in the disputed domain name, which trademarks have been widely used and advertised in France and all over the world by the Complainant and which trademarks are associated exclusively with the complainant, by the trade and public in India, France and all over the world."

8.4. The Complainant has relied on WIPO Case No. D2007-1323 Credit Industrial et Commercial S.A., CM-CIC Securities v. Click Cons. Ltd regarding <cicsecurities.net> wherein it has been held that "this is even more likely with respect to the identity with the trademark CIC SECURITIES.... the Domain Name in dispute has been registered and is being used by the Respondent in bad faith (paragraph 4(a)(iii))'C

8.5. The Complainant has relied on Case No. INDRP/255: GD PHARMACEUTICALS PRIVATE LIMITED v. DUAN ZUOCHUN regarding <boroline.co.in>: wherein it has been held that "the respondent has no legitimate rights or interests in the disputed domain name and there was no real purpose for registering the disputed domain name other than for commercial gains, and that the intention of the respondent was solely to generate revenue, through the sale of the disputed domain name to the registered owner of the trade mark or to a competitor or any other person that has the potential to cause damage to the ability of the Complainant to have peaceful usage of the Complainant's legitimate interest in using their own trade names. In the light of the above, this Arbitral Tribunal finds that the Complainant has established that the disputed domain name was registered and is being used in bad faith".

8.6. The Respondent has thus registered this domain name precisely because he knew the well-known character of the trademarks "CIC" and "CIC

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BANQUES". Moreover, the Respondent has no rights or legitimate interests in the disputed domain name, showing its good faith. On the contrary, he only registered the disputed domain name, for commercial gains (this domain name being notably offered for sale).

- 8.7. This combination of facts is asserting the bad faith registration of the domain name CIC- BANQUES.CO.IN by DUAN ZUOCHUN.

9. BAD FAITH USE:

- 9.1. The complainant CREDIT INDUSTRIEL ET COMMERCIAL has contended that the Respondent's use of the domain name CIC-BANQUES.CO.IN constitutes bad faith use. The domain name is currently pointing to a parking webpage containing several hyperlinks among which some of them are in the financial field, the core business of the Complainant. Moreover, this domain name is offered for sale by the Respondent.
- 9.2. The complainant has further contended that such use may be considered as an infringement of previous trademarks and must be considered as bad faith use.
- 9.3. The Complainant has contended that the respondent has intentionally attempted to attract, for commercial gain, internet users to the Respondent's website or other online locations (notably competitors websites), by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsements of the respondent website or location or of a product or service on the respondents' website or location.

The complainant has further contended that the disputed domain name is indeed parked at SEDO, for sale, which is a well-known site for selling domain names which allows registrant to simply park the registered domain name without having to develop any website and SEDO provides and targeted ad links, which give a flavour to the interested buyer, as to kind of domain name that is on offer. The complainant has also contended that such offers to sale the domain name to the registered trademarks' owner or to a competitor, is one of the hallmarks of a cyber squatter and

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suffice to hold that the domain name has been registered and using in bad faith.

The complainant has further contended that the respondent has registered the disputed domain name, which appear to have been selected precisely for the reason, that it was identical or confusingly similar to registered trademarks and trade names of the Complainant, in view to generate revenue through the sale of the disputed domain name or, at least, through the hyperlinks located in the parking webpage activated by the disputed domain name (system of pay-per-click).

9.4 The complainant has relied on Case No. INDRP/185: SENSIENT TECHNOLOGIES CORPORATION & SENSIENT INDIA PRIVATING v. DUAN ZUOCHUN regarding <sensient.in> as mentioned in aforesaid para.

9.5 The complainant has prayed for an award in the above matter for transfer of the domain name "**CIC-BANQUES.CO.IN**" in favour of the complainant.

10 FINDINGS:

The complainant has made positive assertions that respondent has no legitimate right in domain name and the respondent has no trademark on the domain name. The complainant has made positive assertions regarding the fact that respondent has got registered the disputed domain name in the .IN Registry for which the respondent has no right or trademark. As such in above circumstance it is clear that the complainant has prima facie discharged the initial onus cast upon him. The respondent has not come forward inspite of repeated notices to file any reply / counter or to provide any positive, cogent and specific evidence that it is known or recognized by domain name. The respondent has neither put forth and has nor provided such evidence. Thus the conclusion is that respondent has no right or legitimate interest in the domain name.

It has been held in Indian decision **M/s Satyam Infoway Ltd. Vs. M/s Sifynet Solution (P) Ltd. JT. 2004 (5) SC 541**, that Domain name has all characteristics of trademark. As such principles applicable to trademark are applicable to domain names also. In the said case the

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words, "Sify" & "Siffy" were held to be phonetically similar and addition of work 'net' in one of them would not make them dissimilar. It is held in above case that in modern times domain name is accessible by all internet users and thus there is need to maintain it as an exclusive symbol. It is also held that it can lead to confusion of source or it may lead a user to a service, which he is not searching. Thus conclusion is that domain name and trademark, which may be used in different manner and different business or field, or sphere, can still be confusingly similar or identical.

The Complainant has established a prima facie case of lack of rights and legitimate interest and the Respondent has failed to rebut the presumption of absence of rights or legitimate interests.

Thus the conclusion is that the domain name "**CIC-BANQUES.CO.IN**" is identical and confusingly similar to the trademark of complainant "**CIC**" and "**CIC BANQUES**" and the complainant has established that he has right in the trademark and further the respondent has got registered his domain name "**CIC-BANQUES.CO.IN**" in bad faith.

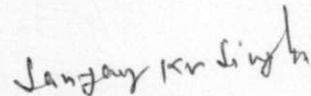
RELIEF

The domain name of the respondent is identical and confusingly similar to trademark of complainant. The respondent also does not have right or legitimate interest in the domain name. He has got it registered in bad faith, as such he is not entitled to retain the domain name. The complainant is entitled for transfer of domain name "**CIC-BANQUES.CO.IN**" to him, as it has established its bonafide rights in trademark in facts and circumstances and as per law discussed above. Hence I direct that the Domain name be transferred to the complainant by registry on payment of requisite fee to the registry.

No order as to costs.

Delhi

Date: 10 -04 -2013.


(Sanjay Kumar Singh)

Arbitrator