

ADMINISTRATIVE PANEL DECISION

Universo Gelado Indústria e Comércio S.A. v. LUCAS CASTRO BOLPATO
Case No. D2025-5210

1. The Parties

The Complainant is Universo Gelado Indústria e Comércio S.A., Brazil, represented by Aoki e Yamashita Advogados, Brazil.

The Respondent is LUCAS CASTRO BOLPATO, Brazil, self-represented.

2. The Domain Name and Registrar

The disputed domain name <cocoleve.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 12, 2025. On December 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 15, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 16, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on December 19, 2025.

The Center verified that the Complaint together with the amendment to 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 December 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 8, 2026. The Response was filed with the Center on January 8, 2026.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on January 20, 2026. 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 was founded in 2020 in Brazil and manufactures flavored ice cubes crafted from natural fruit extracts, also exporting its products to the United States of America (“United States”), Portugal and France.

The Complainant operates the domain name <cocoleve.com.br>, registered on June 24, 2020, as well as is the owner of the following, amongst others, trademarks (Annexes 12-28 to the Complaint):

- Brazil trademark registration No. 920752799 for the word and device mark COCO LEVE, filed on September 14, 2020, registered on April 26, 2022, in class 35;
- Brazil trademark registration No. 926183770 for the word and device mark COCOLEVE, filed on March 30, 2022, registered on May 16, 2023, in class 32; and
- United States trademark registration No. 7684396 for the word and device mark COCO LEVE, filed on November 15, 2023, registered on February 11, 2025, in class 30.

The disputed domain name was registered on April 20, 2024, and presently resolves to a Registrar-parked webpage offering it for sale.

Messages were exchanged between the Respondent and one of the partners of the Complainant from February 3, 2025, until March 6, 2025, via the WhatsApp application (“WhatsApp”) (Annex 37 to the Complaint).

On the Respondent’s WhatsApp message of February 3, 2025, the Respondent states that “In addition, as you already know, I previously represented Coco Leve and closely followed the brand’s potential” (free translation of “*Além disso, como você sabe, já fui representante da Coco Leve e acompanhei de perto o potencial da marca*”).

On February 7, 2025, the Respondent states, via WhatsApp that “the domain <cocoleve.com> has significant potential, especially in light of the prospect of expanding its reach, which makes it even more valuable. Initially, I had a figure of BRL 12 million in mind, but to facilitate the negotiation, I can offer it for BRL 1.8 million, payable in a lump sum” (free translation of “*O domínio <cocoleve.com> tem grande potencial, especialmente com a perspectiva de ampliação do seu alcance, o que o torna ainda mais valioso. Inicialmente, eu tinha o valor de R\$ 12 milhões em mente, mas para facilitar a negociação, posso oferecer por R\$ 1,8 milhão à vista*”).

On February 25, 2025, the Complainant’s partner replied offering BRL 20,000 for the disputed domain name, which was rejected by the Respondent on March 6, 2025, when the Respondent made a new offer for BRL 1.8 million in two installments or BRL 1.26 million in a lump sum.

On April 30, 2025, the Complainant sent, through its attorneys, a cease-and-desist letter to the Respondent requesting the transfer of the disputed domain name (Annex 8 to the Complaint).

The Respondent replied to the cease-and-desist letter by email on May 13, 2025, stating to have acquired the disputed domain name from a third party, not having the Complainant in mind and as a personal investment given that it is made up of two generic words “coco” (“coconut”) and “leve” (“light”), offering multiple use possibilities in different market segments; consisting the disputed domain name an intangible asset unrelated to the Complainant’s trademark which has been lawfully acquired (Annex 9 to the Complaint).

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant asserts to be a leader in the production of premium flavored ice cubes for cocktails, soft drinks and beers, sold under the COCO LEVE trademark.

The Complainant contends that the disputed domain name is identical to its trademark, lacking the Respondent rights or legitimate interests in the disputed domain name given that:

- a. the Respondent is not affiliated with or related to the Complainant, nor has the Respondent been licensed, permitted or otherwise officially authorized by the Complainant to use the COCO LEVE trademark;
- b. the Respondent has not been commonly known by the disputed domain name;
- c. Public databases reveal that the Respondent has been a member of two different Brazilian companies, namely (i) "Goval Multimarcas", which was terminated on August 2023 (Annexes 31 and 32 to the Complaint), and (ii) "Bolpato Motors", founded on October 2023 with operations on vehicle sales (Annexes 33 and 34 to the Complaint); and
- d. there is no evidence of use of the disputed domain name in connection with a bona fide offering of goods or services or with a legitimate noncommercial or fair use, having rather it been registered by the Respondent for the mere purpose of selling it to the Complainant for valuable consideration in excess of the Respondent's out-of-pocket costs directly related to its registration.

The Complainant further contends that the registration of the disputed domain name was done clearly in bad faith given that the Respondent clearly targeted the Complainant when registering the disputed domain name and offering it, insistently, for the Complainant for excessive sums (roughly USD 2 million and later USD 360,000, which are clearly in excess of the out-of-pocket costs directly related to its registration and maintenance).

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name. The Respondent acknowledges that the disputed domain name is textually and phonetically similar to the Complainant's trademark. However, it claims that the similarity alone is insufficient to satisfy the cumulative requirements set forth under Paragraph 4(a) of the Policy. Notably, the Respondent states to have acquired the disputed domain name through a public auction conducted by an independent third party platform, following the expiration of its original registration, also made by the Respondent. The acquisition occurred on April 26, 2024.

The Respondent contends that the assessment of bad faith must focus exclusively on the registrant's intent at the moment of acquisition, which in this case was lawful and unconnected to any abusive purpose. The Respondent further asserts that since its acquisition, the disputed domain name has not been used to host a website, redirect Internet users, display advertisements, impersonate the Complainant, offer competing goods or services, or otherwise exploit the Complainant's trademark.

The Respondent contends that the disputed domain name consists solely of the terms "coco" and "leve", both of which are common dictionary words with descriptive and generic meanings, being well established under UDRP jurisprudence that the registration and holding of domain names composed of generic or descriptive terms may confer a legitimate interest, particularly where such domain names are acquired as digital assets with multiple potential lawful uses across various industries. Under the Respondent's view, the Respondent thus retains a legitimate interest in the disputed domain name and has never used it in any manner intended to infringe the rights of any third party.

The Respondent also states that the disputed domain name has remained passively held and that it was acquired via a public auction, without targeting the Complainant, without knowledge of any alleged trademark strategy, and without any intent to exploit the Complainant's brand, also indicating that private communications or informal negotiations occurring outside the moment of the registration are legally irrelevant to establishing bad faith. Furthermore, the price at which a domain name is offered for sale, regardless of its magnitude, does not in itself constitute evidence of bad faith.

Lastly, the Respondent affirms that there is no evidence that the Respondent sought to disrupt the Complainant's business, mislead consumers, or unfairly capitalize on the Complainant's reputation.

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements, which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The Complainant must prove in this administrative proceeding that each of the aforesaid three elements is present in order to obtain the transfer of the disputed domain name.

A. Identical or Confusingly Similar

It is well accepted that the first 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 trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

The Panel notes the Respondent's statement that he registered the disputed domain name for its generic terms with multiple potential lawful uses across various industries. In addition, in the Respondent's Whatsapp message to a partner of the Complainant dated February 3, 2025, the Respondent states that "In addition, as you already know, I previously represented Coco Leve and closely followed the brand's potential" (free translation of "*Além disso, como você sabe, já fui representante da Coco Leve e acompanhei de perto o potencial da marca*") (Annex 37 to the Complaint).

The Complainant states that the Respondent is not affiliated with or related to the Complainant, nor has the Respondent been licensed, permitted or otherwise officially authorized, and the Parties have never been in a contractual relationship with each other. The Panel notes that there is no evidence that the Respondent has represented the Complainant.

Accordingly, the question arises as to why the Respondent would have chosen to register these specific two words, which is not an obvious combination, and which the Panel finds unusual if it was not due to the Complainant's trademark.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

As seen above, in the present case, the Panel notes that the Respondent did not register the disputed domain name for its potentially generic and multiple use but rather targeted the Complainant when registering the disputed domain name, having insistently offered it to the Complainant for considerable amounts, initially USD 2 million, then roughly USD 360,000 and lastly roughly USD 250,000, also having rejected a counter-offer of roughly USD 4,000.

For the reasons above, the Respondent's conduct has to be considered, in this Panel's view, as bad faith registration and use of the disputed domain name.

The Panel finds that the Complainant has established the third element 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 disputed domain name <cocoleve.com> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: February 3, 2026