

PANEL DECISION

Petrus v. Afro Alahid

Case No. DEU2026-0009

1. The Parties

The Complainant is Petrus, France, represented by SELAS Lexington Avocats, France.

The Respondent is Afro Alahid, Austria.

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <petruswine.eu> is the European Registry for Internet Domains (“EURid” or the “Registry”). The Registrar of the disputed domain name is HOSTINGER operations, UAB.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 9, 2026. On March 10, 2026, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain names. On March 11, 2026, the Registry 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on March 11, 2026 providing the registrant and contact information disclosed by the Registry, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on March 16, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the “ADR Rules”) and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the “Supplemental Rules”).

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 20, 2026. In accordance with the ADR Rules, Paragraph B(3), the due date for Response was April 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 10, 2026.

The Center appointed Knud Wallberg as the sole panelist in this matter on April 15, 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 ADR Rules, Paragraph B(5).

4. Factual Background

The Complainant produces and sells wine globally under the trademark PETRUS.

The Complainant holds trademark registrations comprising the word PETRUS in numerous jurisdictions worldwide, including French trademark number 1442194 of the wordmark PETRUS registered on December 28, 1987. The Complainant has also registered numerous domain names, such as <petrus.com>, <petrus.wine> and <chateau-petrus.wine>.

The disputed domain name was registered on January 21, 2026. When the Complaint was filed the disputed domain name was used for a website, which purported to offer the Complainant's wines using the Complainant's trademark, without a disclaimer.

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.

The Complainant contends that the disputed domain name is highly similar to the trademark PETRUS since it reproduces identically "petrus" placed first, followed by the descriptive term "wine" which directly refers to the products covered by these trademarks in class 33.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect to the disputed domain name. The Complainant has never granted any right or authorization to the Respondent or anyone else in connection with the registration and use of a disputed domain name or any other domain name containing its PETRUS trademark, particularly in relation to wines.

The Complainant finally contends that the disputed domain name was registered or is being used in bad faith. Given the worldwide reputation and distinctive character of the PETRUS trademark, the Respondent was fully aware of the Complainant's rights at the time of registration of the disputed domain name, just as the Respondent uses the disputed domain name to offer for sale purported PETRUS wines without any authorization from the Complainant and in a manner that misleads Internet users into believing that the website is officially affiliated with, or endorsed by, the Complainant.

B. Respondent

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

6. Discussion and Findings

Pursuant to Paragraph B(11)(d)(1) of the ADR Rules the Panel shall issue a decision granting the remedies requested by the Complainants in the event that the Complainants proves the following elements:

(i) the domain name is identical or confusingly similar to a name in respect of which a right is recognized or established by the national law of a Member State and/or European Union law and either;

(ii) the domain name has been registered by the Respondent without rights or legitimate interest in the name;
or

(iii) the domain name has been registered or is being used in bad faith.

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

The Complainant has provided evidence that they are owners of multiple trademarks PETRUS, including a European Union registration.

It is evident that the disputed domain name consists of the Complainants' PETRUS trademark, in combination with the term "wine". Although the addition of such term may bear an assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the ADR Rules.

The ".eu" Top-Level Domain is typically disregarded for the purposes of the comparison with the Complainants' trademarks on the basis that it is a standard technical requirement for registration

Therefore, the requirements under the first element of Paragraph B(11)(d)(1)(i) of the ADR Rules were met.

B. Rights or Legitimate Interests

Under Paragraph B(11)(e) of the ADR Rules, rights or legitimate interests may be demonstrated where:

(i) prior to any notice of the dispute, the respondent has used the disputed domain name or a name corresponding to the domain name in connection with the offering of goods and services or has made demonstrable preparations to do so;

(ii) the respondent, being an undertaking, organization or natural person, has been commonly known by the domain name, even in absence of a right recognized or established by national and/or European Union law; and

(iii) the respondent is making a legitimate and non commercial or fair use of the domain name, without intent to mislead consumers or harm the reputation of a name in respect of which a right is recognised or established by national and/or European Union law.

While the overall burden of proof in ADR Rules proceedings lies with the complainant, panels have acknowledged that proving a respondent lacks rights or legitimate interests in a domain name can often result in the challenging task of "proving a negative," which requires information typically within the respondent's knowledge or control. Consequently, when a complainant establishes a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to provide relevant evidence demonstrating their rights or legitimate interests in the domain name. If the respondent fails to present such evidence, the complainant is deemed to have satisfied the second element.

The Complainant has not granted the Respondent any permission, license, or authorization to use the Complainant's trademark in any capacity, including as part of a domain name, just as it is clear that the Respondent is not commonly known by the disputed domain name.

The Panel therefore finds that the Respondent has no rights or legitimate interests in the disputed domain name and that the Complainant has satisfied the condition set out at Paragraph B(11)(d)(1)(ii) of the ADR Rules.

C. Registered or Used in Bad Faith

As the two conditions stipulated in Paragraph B(11)(d)(1)(i) and (ii) of the ADR Rules have already been fulfilled, the Panel does not need to examine whether the Respondent has registered or is using the disputed domain name in bad faith, under Paragraph B(11)(d)(1)(iii) of the ADR Rules, since the conditions stipulated in Paragraphs B(11)(d)(ii) and (iii) of the ADR Rules are considered alternate bases for a successful complaint.

However, based on the facts and arguments of the case that the Complainant has put forward and which are described in the previous paragraphs, the Panel finds that it is obvious that the Respondent knew of and targeted the Complainant's trademark when he registered and started using the disputed domain name. The Panel that finds that finds that the conditions of the bad faith stipulated in Paragraph (B)(11)(d)(1)(iii) of the ADR Rules have been met.

7. Decision

For the foregoing reasons, in accordance with Paragraph B(11) of the ADR Rules, the Panel orders that the disputed domain name, <petruswine.eu> be transferred to the Complainant¹.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: April 28, 2026

¹ (i) The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.

(ii) As the Complainant is located in France, a Member State of the European Union, it satisfies the general eligibility criteria for registration of the disputed domain name set out in Article 3 of the Regulation (EU) 2019/517. Therefore, the Complainant is entitled to request the transfer of the disputed domain name.