

ADMINISTRATIVE PANEL DECISION

Bunge SA v. Domain Administrator, NameSilo, LLC
Case No. D2025-1424

1. The Parties

The Complainant is Bunge SA, Switzerland, represented by 101domain.com, United States of America ("United States").

The Respondent is Domain Administrator, NameSilo, LLC, United States.

2. The Domain Name and Registrar

The disputed domain name <bzbunge.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 7, 2025. On April 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 8, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on April 11, 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 amended Complaint on April 19, 2025.


The Center verified that the Complaint together with the amended 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 April 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 15, 2025.

The Center appointed Kiyoshi Tsuru as the sole panelist in this matter on May 19, 2025. 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 more than 200 years ago and specializes in the provision of agricultural products, grains and fertilizers to stabilize crop infrastructure around the world with the ultimate purpose of sustaining fuel-renewable energy solutions. The Complainant operates in more than 40 countries, with 300 facilities and more than 23,000 employees.

Trademark	Registration No.	Jurisdiction	Date of Registration	Class
BUNGE	2,036,787	United States of America	February 11, 1997.	Class 29.
	2,682,681	United States of America	February 4, 2003.	Class 35, Class 36, Class 39, Class 40 and Class 42.
	864636	International trademark	December 15, 2004.	Class 4, Class 5, Class 29, Class 30, Class 31, Class 32, Class 35, Class 36, Class 39, Class 40.

The Complainant is the owner of more than 100 domain names, including, among others, the following: <bunge.com>, <bungebt.com>, <bunge-bt.com>, <bungelatinamerica.com>, <bungebrazilsa.com>, <bungemexico.com>, and <bungebrazil.xxx>.

The disputed domain name <bzbunge.com> was registered on April 24, 2024. At the time of writing this decision (and filing of the Complaint), the disputed domain name <bzbunge.com> redirects to one of the Complainant's domain names, <bungeag.com> which in turn resolves to the Complainant's official website. The disputed domain name has been used to send fraudulent emails impersonating the Complainant.

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 contends that:

I. Identical or Confusingly Similar

That the disputed domain name is identical or confusingly similar to the Complainant's BUNGE trademarks and its "Bunge Limited" trade name which are globally recognized as agricultural and food processing products.

That the Complainant maintains an extensive brand portfolio of domain names consisting of different country code Top-Level Domain ("ccTLD") and generic Top-Level Domain ("gTLD") variations of its trademark BUNGE.

That the Respondent, by merely adding to said trademark the letters "bz", a geographic abbreviation for Belize, is purposefully attempting to validate the disputed domain name for fraudulent means, in order to cause confusion.

That the Complainant's vast domain name portfolio significantly increases the likelihood of confusion when consumers search for the Complainant and find the Respondent's infringing website.

That the Complainant has consistently and consecutively used its BUNGE trademark for more than four decades prior to the Respondent's registration of the disputed domain name.

That the Complainant should be permitted to reflect its BUNGE trademarks accordingly, without the risk of confusion cause by the Respondent's disputed domain name.

That the fraudulent representation of the disputed domain name registration not only capitalizes on the Complainant's notorious brand recognition but also demonstrates the Respondent's blatant intention to confuse the unassuming online community with the disputed domain name and the Complainant's company.

That the Complainant has impacted and revolutionized the agricultural and food processing industry since 1818, over two centuries before the Respondent's registration of the disputed domain name, which demonstrates the Complainant's rights to reflect its BUNGE trademark in the disputed domain name.

II. Rights or Legitimate Interests

That the Respondent has no rights or legitimate interests in the disputed domain name because the Complainant has not licensed nor allowed the Respondent to use the Complainant's BUNGE trademarks or trade name for any purpose.

That the Complainant was made aware of the disputed domain name when a client asked the Complainant about the validity of a purchase inquiry sent from a <bzbunge.com> email address, which sender claimed to be a sales manager of Bunge Brazil.

That in an effort to enforce its rights before filing a dispute, the Complainant filed an abuse complaint showing the customer notification of fraud and requesting the disputed domain name suspension and revocation of services.

That, despite multiple follow-ups and the provision of evidence of said fraudulent communication, the Registrar and the hosting provider neglected to take action to stop the Respondent from its attempts to defraud potential customers of the Complainant.

That the Complainant believes in good faith that the Respondent has no registered trademarks using the term BUNGE and that the Respondent is trading under the BUNGE trademark for wrongful profit.

That the Respondent does not appear to have any legitimate connection to the BUNGE trademark and that the disputed domain name has been used solely with the purpose of deceiving the online community and preventing the Complainant's customers from navigating to the Complainant's true domain names.

That the Respondent is not commonly known by the disputed domain name, and that the Respondent registered the disputed domain name for the purpose of disrupting the Complainant's business.

That the Respondent is not making a legitimate non-commercial or fair use of the disputed domain name, which is currently redirecting to one of the Complainant's domain names, to deceive customers into believing that the disputed domain name is registered with the Complainant.

That the Respondent is using the disputed domain name MX records for fraudulent purposes, thus disrupting the Complainant's business and tarnishing the Complainant's BUNGE trademark.

That the Respondent has not provided any evidence of bona fide use or demonstrable preparations to use the disputed domain name in connection with any legitimate offering of goods or services as the disputed domain name has been used solely to create the impression of an inexistent affiliation between the Respondent and the Complainant.

That the Complainant has not licensed nor allowed the Respondent to use its BUNGE trademark for any purpose, and that the disputed domain name was registered primarily for the purpose of deceiving the online community and tarnishing the Complainant's reputation.

III. Registered and Used in Bad Faith

That the Respondent has used the disputed domain name fraudulently to confuse users who associate the BUNGE trademarks and corporate name for spear-phishing tactics.

That the Respondent's registration of the disputed domain name prevents the Complainant from reflecting its BUNGE trademarks in said disputed domain name.

That the Respondent has not used nor prepared to use the disputed domain name for any legitimate purpose, and that said Respondent misuses it for the purpose of disrupting the Complainant's business.

That the Respondent clearly registered the disputed domain name targeting the Complainant and its customers through false communications, by impersonating a legitimate representative of the Complainant through false communications, making it appear as if the Respondent was an employee of the Complainant.

That the Complainant recognized the Respondent's information to be the company name and phone number of the Registrar, further showing the Respondent's fraudulent registration of the disputed domain name by using the Registrar's reputation, further showing evidence of the Respondent's bad faith.

That the disputed domain name redirects to the Complainant's active domain name <bungeag.com> to mislead the Complainant's customers into believing that the disputed domain name is affiliated to or owned by the Complainant, therefore disrupting the Complainant's business and profiting from the Complainant's reputation and corporate relationships.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets out the three requirements that the Complainant must prove in order to successfully request remedies:

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

Given the Respondent's default and therefore, failure to specifically address the case merits as they relate to the three UDRP elements, the Panel may decide this proceeding based on the Complainant's undisputed factual allegations under paragraphs 5(f), 14(a), and 15(a) of the Rules (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#); *Encyclopaedia Britannica, Inc. v. null John Zuccarini, Country Walk*, WIPO Case No. [D2002-0487](#); see also [WIPO Overview 3.0](#), section 4.3).

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the BUNGE trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name is confusingly similar to the Complainant's BUNGE trademarks because it reproduces said trademark entirely (see [WIPO Overview 3.0](#), section 1.7), and because the incorporation of references to the abbreviations of the geographical terms such as "bz", does not prevent a finding of confusing similarity. The Complainant's BUNGE trademark is recognizable in the disputed domain name (see [WIPO Overview 3.0](#), section 1.8; see *Playboy Enterprises International, Inc. v. Zeynel Demirtas*, WIPO Case No. [D2007-0768](#); *InfoSpace.com, Inc. v. Hari Prakash*, WIPO Case No. [D2000-0076](#); *AT&T Corp. v. WorldclassMedia.com*, WIPO Case No. [D2000-0553](#) and *Six Continents Hotels, Inc., Inter-Continental Hotels Corporation v. South East Asia Tours*, WIPO Case No. [D2004-0388](#))

The addition of the gTLD ".com" to the disputed domain name constitutes a technical requirement of the Domain Name System ("DNS"). Thus, it has no legal significance in assessing identity or confusing similarity in the present case (see *CARACOLITO S SAS v. Nelson Brown, OXM.CO*, WIPO Case No. [D2020-0268](#); *SAP SE v. Mohammed Aziz Sheikh, Sapteq Global Consulting Services*, WIPO Case No. [D2015-0565](#); and *Bentley Motors Limited v. Domain Admin / Kyle Rocheleau, Privacy Hero Inc.*, WIPO Case No. [D2014-1919](#) and [WIPO Overview 3.0](#), section 1.11.1.)

Accordingly, the disputed domain name is confusingly similar to the Complainant's BUNGE trademarks 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.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights to or legitimate interests in the disputed domain name. The Complainant has asserted that there is no evidence of the Respondent's use of the disputed domain name in connection

with a bona fide offering of goods or services, and that the Respondent has not been licensed or otherwise permitted by the Complainant to use its BUNGE trademark, or to register the disputed domain name (see *Amdocs Development Ltd. and Amdocs Software Systems Ltd. v. cenk erdogan*, WIPO Case No. [D2023-3044](#); *Amdocs Development Ltd. and Amdocs Software Systems Ltd. v. Nick Lamba*, WIPO Case No. [D2023-2573](#) and *Autodesk, Inc. v. Brian Byrne, meshIP, LLC*, WIPO Case No. [D2017-0191](#)). The Complainant has submitted evidence showing the Respondent has sent fraudulent emails to potential clients of the Complainant, by using MX records of the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights to or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The case file contains no evidence that demonstrates that the Respondent has used or has made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services (see *Valentino S.p.A. v. Qiu Yufeng, Li Lianye*, WIPO Case No. [D2016-1747](#); and *Associated Newspapers Limited v. Manjeet Singh*, WIPO Case No. [D2019-2914](#)).

Furthermore, the Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant, its trademarks, and its business. [WIPO Overview 3.0](#), section 2.5.1.

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.

The Panel notes that the dates of registration of the Complainant's BUNGE trademarks significantly precede the date of registration of the disputed domain name.

In the present case, the Panel notes that the Respondent registered the disputed domain name on April 24, 2024, well after the Complainant obtained its first registrations for its BUNGE trademark and began using said trademark. The Respondent's bad faith registration is evidenced by the fact that (1) the Respondent used the Registrar's information for the registration of the disputed domain name; (2) the disputed domain name is confusingly similar to the Complainant's BUNGE trademark, as it incorporates said trademark entirely; (3) the Complainant has submitted evidence of the Respondent's use of an email address using the disputed domain name MX records to impersonate the Complainant or its employees.

The case docket shows that the Respondent has targeted the Complainant and its potential clients, which constitutes opportunistic bad faith (see section 3.2.1 of the [WIPO Overview 3.0](#); see also *L'Oréal v. Contact Privacy Inc. Customer 0149511181 / Jerry Peter*, WIPO Case No. [D2018-1937](#); and *Gilead Sciences Ireland UC / Gilead Sciences, Inc. v. Domain Maybe For Sale c/o Dynadot*, WIPO Case No. [D2019-0980](#)).

Panels have held that the use of a domain name for illegitimate or illegal activity (in the present case claimed as impersonation/passing off, and fraudulent conduct arising from the dispatch of false emails to potential customers of the Complainant, using MX records of the disputed domain name) constitutes bad faith. (see [WIPO Overview 3.0](#), section 3.4, *Arla Foods Amba v. Michael Guthrie, M. Guthrie Building Solutions*, WIPO Case No. [D2016-2213](#); *Minerva S.A. v. Whoisguard Protected, Whoisguard, Inc., / GREYHAT SERVICES*, WIPO Case No. [D2016-0385](#)). The use of a domain name for illegal purposes, such as fraud or phishing activities, also constitutes bad faith under the Policy (see *Banque Palatine v. Alex McQueen, HN LTD*, WIPO Case No. [D2022-3190](#)).

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 <bzbunge.com> be transferred to the Complainant

/Kiyoshi Tsuru/

Kiyoshi Tsuru

Sole Panelist

Date: June 2, 2025