

ADMINISTRATIVE PANEL DECISION

JERA Co., Inc., JERA Nex Ltd v. Vyacheslav Monogarov
Case No. D2025-2016

1. The Parties

The Complainants are JERA Co., Inc., Japan (the “First Complainant”), and JERA Nex Ltd, United Kingdom (the “Second Complainant”), represented by Adlex Solicitors, United Kingdom.

The Respondent is Vyacheslav Monogarov, Russian Federation.

2. The Domain Name and Registrar

The disputed domain name <jeranexbp.com> is registered with REG.RU LLC (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on May 21, 2025. On May 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 26, 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 (Personal data, cannot be publicly disclosed according to applicable laws) and contact information in the Complaint. The Center sent an email communication to the Complainants on May 26, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on May 28, 2026.

On May 26, 2025, the Center informed the parties in Russian and English, that the language of the registration agreement for the disputed domain name is Russian. On May 28, 2025, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 June 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 26, 2025.

The Center appointed Alissia Shchichka as the sole panelist in this matter on June 30, 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 Complaint is filed by two entities. The First Complainant, JERA Co., Inc., is Japan's power generation company, established in 2015. Headquartered in Tokyo, Japan, the First Complainant produces approximately 30% of Japan's electricity and is active in both conventional and renewable energy sectors.

The Second Complainant is a wholly owned subsidiary of the First Complainant, incorporated in the United Kingdom in 2018. Since April 2024, the Second Complainant has operated as the global renewable energy arm of the First Complainant, under the name "JERA Nex". The Second Complainant focuses on developing, investing in, owning, and operating renewable energy assets, including offshore and onshore wind, solar, and battery storage. It is headquartered in London, United Kingdom, with centres of excellence in Belgium, Japan, Singapore, and the United States of America ("United States"), and employs more than 300 energy industry professionals worldwide.

The First Complainant has evidenced to be the registered owner of numerous trademarks worldwide relating to its JERA Nex trademarks including, but not limited, to the following:

- International Trademark Registration No. 1806021, registered on March 27, 2024, for the word mark JERA Nex in classes 35, 36, 37, 39, 40, and 42;
- United States Trademark Registration No. 7700081, registered on February 25, 2025, for the word mark JERA NEX in classes 35, 36, 37, 39, 40, and 42.

The Complainants own various domain names incorporating the JERA NEX mark, including the official website at the domain name <jeranex.com>. According to the Complainants, this site has been active since April 2024 and recorded approximately 36,500 unique visitors in its first year of operation.

The disputed domain name <jeranexbp.com> was registered on December 9, 2024, the same day the Complainants publicly announced its joint venture with BP British Petroleum ("BP"), one of the world's largest energy companies. The joint venture, named "JERA Nex bp," is intended to combine the offshore wind operations of both parties to form one of the world's leading offshore wind developers, owners, and operators.

As of April 30, 2025, the disputed domain name resolved to a placeholder website displaying the message "Under construction," along with a disclaimer denying any commercial use or intent to mislead: "The project is not commercial, does not represent or use any trademark or service mark or place of origin of goods. The project does not intend to mislead consumers or damage the reputation of any trademark."

According to Whois information confirmed by the Registrar, the Respondent is located in the Russian Federation. In two prior WIPO UDRP proceedings, the Respondent was found to have engaged in a recurring pattern of registering domain names corresponding to third-party trademarks in similar circumstances, specifically targeting marks associated with newly announced joint ventures (*Natixis v. Vyacheslav Monogarov*, WIPO Case No. [D2025-0673](#), and *TTTech Computertechnik AG and TTTech Nexus GmbH v. Vyacheslav Monogarov*, WIPO Case No. [D2025-1066](#)).

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants assert that the JERA NEX trademarks are widely recognized.

According to the Complainants, the disputed domain name is confusingly similar to the Complainants' JERA NEX trademark. The disputed domain name incorporates the JERA NEX trademark in its entirety, followed by the abbreviation "bp," which refers directly to BP, the Complainants' joint venture partner. This addition does not prevent a finding of confusing similarity.

Furthermore, the Complainants assert that the Respondent lacks rights or legitimate interests in the disputed domain name for the following reasons:

First, the Respondent is not affiliated with, licensed by, or otherwise authorized the Complainants to use the JERA NEX trademark in connection with the disputed domain name.

Second, the disputed domain name carries a high risk of implied affiliation, as it is confusingly similar to the Complainants' trademark and identical to the name of the Complainants' joint venture with BP.

Third, the Respondent has not used, nor demonstrated any preparations to use the disputed domain name in connection with a bona fide offering of goods or services.

Finally, the Respondent is not commonly known by the disputed domain name.

The Complainants further contend that the Respondent has registered and used the disputed domain name in bad faith for the following reasons:

First, the Respondent registered the disputed domain name with the intention of selling it to the Complainants for valuable consideration in excess of the Respondent's out-of-pocket costs.

Second, the fact that the disputed domain name was registered on the same day the Complainants publicly announced its joint venture with BP, together with the defensive nature of the disclaimer displayed on the website, strongly suggests that the Respondent was aware of the Complainants' rights and deliberately targeted the Complainants and the JERA NEX trademark.

Third, the disputed domain name was registered to prevent the Complainants from reflecting its JERA NEX trademark in a corresponding domain name.

Fourth, the Respondent has engaged in a pattern of bad faith domain name registrations involving third-party trademarks, shortly after the announcement of joint ventures.

Fifth, by registering the disputed domain name, the Respondent has unfairly disrupted the business of the Complainants by diverting business opportunities intended for the Complainants.

Sixth, the Respondent intended to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainants' trademarks as to the source, sponsorship, affiliation, or endorsement of the website. The disclaimer on the website should be treated as an admission by the Respondent that users may indeed be confused.

Finally, the currently inactive status of the disputed domain name does not preclude a finding of bad faith under the doctrine of passive holding, particularly given the notoriety of the Complainants' mark and the timing of the registration.

The Complainants request that the disputed domain name be transferred to the Second Complainant.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

6.1. Language of the Proceeding

As confirmed by the Registrar following the filing of the present Complaint, the language of the Registration Agreement for the disputed domain name is Russian. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainants request that the language of the proceeding be English. The Complainants contend that proceeding in English would not prejudice the Respondent, who appears to have a sufficient understanding of the language. The disputed domain name is composed entirely of Latin characters, and the website to which it resolves includes both English ("En") and Russian ("Ru") versions. Notably, the English version displays a notice stating "Under construction," and the "Contact Us" page is also presented in English.

Moreover, the Second Complainant and its joint venture partner BP - both clearly targeted by the disputed domain name - are based in the United Kingdom and operate in English. Furthermore, the Respondent has previously been a party in two prior administrative proceedings where the panels determined that English was the appropriate language of the proceeding. In both cases, the panels found that the Respondent likely possessed sufficient knowledge of English.

In light of the above circumstances, the Complainants respectfully submit that conducting the proceeding in English would allow for a fair, efficient, and cost-effective resolution, consistent with the principles of equity and procedural economy as contemplated under the Policy.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.5.1.

In addition, the Center has communicated with the Respondent in both English and Russian and invited the Respondent to comment on the language of the proceeding. The Respondent has not submitted any response or objection to the Complainants' request that the proceeding be conducted in English. The Panel also takes into account that the disclaimer displayed on the website to which the disputed domain name resolves is written in English.

The Panel is proficient in both English and Russian, capable of reviewing all the documents and materials in both languages, and giving full consideration to the Parties' respective arguments.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Consolidation of Multiple Complainants

The Panel notes that the Complaint was filed by two Complainants. Accordingly, pursuant to paragraph 10(e) of the UDRP Rules, the Panel must determine whether to accept a Complaint filed by multiple Complainants.

In assessing whether a complaint brought by multiple complainants against a single respondent may be permitted, panels typically consider whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.

[WIPO Overview 3.0](#), section 4.11.1.

In the present case, the Panel finds that the First Complainant and the Second Complainant share a common grievance against the Respondent. The record establishes that the First Complainant is the parent company of the Second Complainant.

In light of these circumstances, and noting the Respondent's failure to submit a Response, the Panel finds that it is equitable and procedurally efficient to allow the consolidation of the claims in a single proceeding.

Accordingly, the Panel permits the Complaint to proceed as filed jointly by the First Complainant and the Second Complainant and will hereinafter refer to them collectively as "the Complainant," except where a distinction between the two entities is necessary.

6.3. Substantive Issues

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

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

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a response as it considers appropriate.

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 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 confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here, the abbreviation “bp” may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

In the present case, the Complainant has confirmed that the Respondent is not affiliated with the Complainant, nor has the Complainant authorized, licensed or otherwise permitted the Respondent to use the JERA NEX trademark or to seek registration of any domain name incorporating the trademark. The Respondent is also not known to be associated with the JERA NEX trademark, and there is no evidence showing that the Respondent has been commonly known by the disputed domain name. [WIPO Overview 3.0](#), section 2.3.

The Panel further notes that the Respondent has previously been involved in UDRP proceedings under substantially identical circumstances - namely, where the domain names were registered following the announcement of joint ventures. Previous panels have consistently held that a pattern of abusive domain name registrations targeting trademarks precludes any finding of rights or legitimate interests. [WIPO Overview 3.0](#), section 2.5.2.

Based on the record, the Panel finds that the Respondent is not making any legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. [WIPO Overview 3.0](#), section 2.4.

To the contrary, the composition of the disputed domain name coupled with a pattern of multiple abusive domain name registrations, supports the Respondent’s intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website at the dispute domain name.

Finally, the fact that the disputed domain name currently resolves to a website “under construction” does not alter the Panel’s findings, given the timing of registration and the Respondent’s pattern of abusive domain names registrations.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in 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 or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

Therefore, the Panel concludes that the Respondent does not have any rights or legitimate interests in the disputed domain name and the Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

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 disputed domain name incorporates the Complainant's trademark JERA NEX in its entirety, together with the abbreviation "bp," directly referencing BP, the Complainant's joint venture partner. The disputed domain name was registered on the same day the joint venture was publicly announced, which strongly suggests that the Respondent had actual knowledge of the Complainant's rights and deliberately targeted the Complainant. [WIPO Overview 3.0](#), section 3.2.2.

Moreover, the timing and circumstances of the registration, particularly in connection with public announcement are considered as additional factors taken into account by panels in assessing bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Furthermore, the Respondent has previously been involved in at least two UDRP proceedings involving similar fact patterns and targeting well-known commercial joint ventures, in which panels found bad faith and ordered transfer of the domain names. Panels have found that as few as two such instances may constitute a pattern of abusive registration under paragraph 4(b)(ii) of the Policy. [WIPO Overview 3.0](#), section 3.1.2.

In addition, although the website currently displays an "Under construction" notice and includes a disclaimer asserting that the project is not commercial and not affiliated with any trademark, the Panel notes that disclaimers cannot cure bad faith where other circumstances indicate an intent to mislead. To the contrary, in circumstances such as the present case, the presence of a disclaimer may be considered an implicit acknowledgment that confusion is likely. [WIPO Overview 3.0](#), section 3.7.

The Panel further notes that, at the time the Complaint was filed, the disputed domain name resolved to a website displaying only the phrase "Under construction" followed by the aforementioned disclaimer. However, as of the date of this Decision, the website content has been modified to include the phrase "Jeran eXBP (External Business Partners)" followed by the same disclaimer. In light of the Respondent's established pattern of abusive domain name registrations and the absence of any Response in this proceeding, the Panel does not find the manner in which the Complainant's JERA NEX trademark has been divided, nor the proposed explanation for the abbreviation "bp," to be credible. Rather, the Panel considers this to be a post hoc rationalization - an attempt to retroactively justify the disputed domain name that, from the outset, was intended to target the Complainant. This change does not affect the Panel's assessment or conclusions regarding bad faith.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Even if the passive holding doctrine is applicable, the Panel finds that it does not prevent a finding of bad faith under the circumstances of this case.

Taking all of the above into account- including the deliberate timing of the registration, the Respondent's pattern of similar conduct, and the inherently misleading nature of the disputed domain name- the Panel finds that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

Accordingly, the Panel finds that the Complainant has satisfied 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 <jeranexbp.com> be transferred to the Second Complainant.

/Alissia Shchichka/

Alissia Shchichka

Sole Panelist

Date: July 14, 2025