

## **ADMINISTRATIVE PANEL DECISION**

Fortune Pig SL and Jorge, SL v. Gina Klappers  
Case No. D2025-2133

### **1. The Parties**

The Complainants are Fortune Pig, SL and Jorge, SL, Spain, both represented by Integra, Spain.

The Respondent is Gina Klappers, Panama.

### **2. The Domain Name and Registrar**

The disputed domain name <fortunepig-sl.com> is registered with Web Commerce Communications Limited dba WebNic.cc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 30, 2025. On May 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 31, 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 (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 3, 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 June 4, 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”).

The Respondent sent an email communication to the Center on June 6, 2025. In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 11, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was July 1, 2025. The Respondent sent informal communication to the Center on June 6, 2025. On July 8, 2025, the Center notified the Parties that it would proceed to Panel appointment.

The Center appointed Roger Staub as the sole panelist in this matter on July 14, 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 Complainants in these proceedings are Fortune Pig SL and Jorge SL, Spain. The Complainants are part of a Spanish meat group known as Grupo Jorge. According to Grupo Jorge's main website, which is accessible via the domain name <jorgesl.com>, the Complainants' group is active in over 100 countries worldwide.

The Complainant, Jorge SL, is the owner of European Union trademark number 016858045 FORTUNE PIG GRUPO JORGE, which was registered on November 2, 2017, covering goods and services in Classes 29, 35, and 39.

The disputed domain name was registered on April 7, 2025.

The disputed domain name redirects to a website, on which pork meat is offered by a company purportedly named "FORTUNE PIG SL", having the same address as the Complainant, Fortune Pig, SL. The website displays the Complainants' logos.

The Complainants submit that Grupo Jorge has been permanently attacked since 2023 by the same owners who were creating and copying fraudulent webpages, in which they pretended to be part of Grupo Jorge.

#### **5. Parties' Contentions**

##### **A. Complainant**

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

First, the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainants have rights. The disputed domain name is fully included in the Complainants' trademark. The term "SL" corresponds to the corporate form of the company that exploits it. Further, the disputed domain name includes the corporate name of one of the Complainants.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain name. The disputed domain name is not only identical to the Complainants' trademark, but also the website, to which the disputed domain redirects, reproduces exactly the logo and trademark of the Complainants, offers products and services that pretend to be from the Complainants and shows one of the Complainants' address. The Respondent impersonates the Complainants without disguise. Therefore, the Respondent's purpose was fraudulent.

Third, the disputed domain name was registered and is being used in bad faith by the Respondent. Apart from what the Complainants have submitted under the second requirement, the Complainants submit that they have been permanently attacked since 2023 by the same owners who are creating and copying fraudulent webpages. The Complainants submit that there were real frauds to customers who have bought product containers thinking that they were buying from the Complainants.

##### **B. Respondent**

While the Respondent sent an informal communication, it did not reply to the Complainants' contentions. In its email communication the Respondent mainly stated that:

"Please be advised that I have not submitted any complaints related to this domain, nor have I authorized anyone to do so on my behalf. I kindly request clarification on how my name came to be associated with this proceeding and what steps can be taken to correct the record."

## 6. Discussion and Findings

According to the Policy, to qualify for a cancellation or transfer, the Complainant must prove each of the following:

First, the disputed domain name is identical or confusingly similar to a trademark or service mark to which the Complainant has rights.

Second, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Third, the disputed domain name has been registered and is being used in bad faith.

Since the Respondent did not submit a substantive reply, the Panel may choose to accept the reasonable contentions of the Complainant as true. This Panel will determine whether those facts constitute a violation of the Policy that is sufficient to order the cancellation of the disputed domain name (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#)).

### 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 Complainants have 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 Panel finds the mark is recognizable 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: "-sl") may bear on the 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.

Having reviewed the available record, the Panel finds the Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainants' 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.

Panels have held that the use of a domain name for illegitimate activity (here, claimed: impersonation/passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

In the present case, the Panel notes that the disputed domain name, to a significant extent, incorporates the Complainants' trademark. The only differences are that the disputed domain name does not contain the element "grupo jorge" and the addition of the term "-sl", which is just an abbreviation of the legal form of a company (in Spanish: "Sociedad Limitada"). This suggests to consumers that the disputed domain name is the Internet address of the Complainant, Fortune Pig, SL, where the consumers can purchase the products from that Complainant. This wrong impression is further supported by the fact that consumers, when visiting the website, which is accessible under the disputed domain name, can see two logos. The first one is identical to the Complainants' trademark, on which they base the Complaint. The second one is the logo of Grupo Jorge. The address shown on the website is identical to the one of the Complainant Fortune Pig, SL. Moreover, the products offered for sale on the Respondent's website are identical to the ones offered by the Complainants (i.e., pork meat). All these elements create a likelihood of confusion. There are no plausible indications for a possible good faith use of the disputed domain name by the Respondent. The Respondent failed to submit a substantive response explaining its behavior, and, thus, any evidence of an actual or contemplated good faith use.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegitimate activity (here: impersonation/passing-off) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <fortunepig-sl.com> be cancelled.

*/Roger Staub/*

**Roger Staub**

Sole Panelist

Date: July 28, 2025