

ADMINISTRATIVE PANEL DECISION

Florida Power & Light Company v. MOHAMMAD TAKI, Byte
Case No. D2025-2353

1. The Parties

The Complainant is Florida Power & Light Company, United States of America ("U.S."), represented by Troutman Pepper Locke, U.S.

The Respondent is MOHAMMAD TAKI, Byte, Iraq.

2. The Domain Name and Registrar

The disputed domain name <gulfpowerltd.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 14, 2025. On June 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 18, 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 (Domain Admin, Privacy Protect, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 19, 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 23, 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 June 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 17, 2025.

The Center appointed Estela Mariel de Luca as the sole panelist in this matter on July 23, 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, Florida Power & Light Company, a subsidiary of NextEra Energy, Inc., is a leading energy provider in the southeastern U.S., focused on sustainable solutions and grid modernization.

The Complainant is the owner of the GULF POWER trademark, including the following registration:

- U.S. trademark GULF POWER No. 2130117, registered on January 20, 1998, in class 39.

The Complainant owns the domain name <gulfpower.com>.

The disputed domain name <gulfpowerltd.com> was registered on July 14, 2024, and resolves to a website displaying the Complainant's logo, and purporting to be a company "Golf Power Inc".

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 argues that the disputed domain name <gulfpowerltd.com> is identical to its registered trademark GULF POWER. The Complainant contends that the disputed domain name wholly incorporates its trademark, and that the addition of the term "ltd"—an abbreviation commonly used after a corporate name to describe a type of limited liability entity—does not avoid confusion but rather reinforces an association with the Complainant.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name and has not been authorized to use or register the GULF POWER trademark in any manner. Moreover, to the best of the Complainant's knowledge, the Respondent has never used this mark prior to the registration of the disputed domain name.

The Complainant alleges that the Respondent's website features the Complainant's word mark and logo, including its design and color scheme. It further asserts that the website displays several indicators of fraudulent intent and appears to have been created using a template, containing incorrect or inconsistent information as well as residual content from the original design.

The Complainant provides documentary evidence of the Respondent's website (Annexes 11 and 12).

The Complainant further argues that the Respondent could not have registered the disputed domain name without knowledge of the Complainant's trademark, and that the use of the Complainant's exact logo on the website supports a finding of bad faith.

Accordingly, the Complainant contends that the Respondent's registration and use of the disputed domain name are fraudulent and misleading, and that all the three elements of the Policy have been satisfied.

B. Respondent

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

6. Discussion and Findings

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;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name;
- (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 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 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.

Although the addition of other term here, "ltd" 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 (see [WIPO Overview 3.0](#), section 1.8).

Accordingly, the disputed domain name is confusingly similar 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.

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.

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.

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.

The evidence demonstrates that the Complainant holds prior rights in the GULF POWER trademark, which predates the Respondent's registration of the disputed domain name. Furthermore, the Panel notes that the Respondent was aware of the Complainant's trademark rights at the time of registration, as evidenced by the Respondent's use of the GULF POWER mark on its website.

The content of the Respondent's website, which features the zig-zag logo registered by the Complainant's parent company (see Annex 8) and used by the Complainant (see Annex 5), purporting to be a competing energy company under the name Golf Power Inc further supports a finding that the disputed domain name was registered and is being used in bad faith under paragraph 4(b)(iv) of the Policy.

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 <gulfpowerltd.com> be transferred to the Complainant.

/Estela Mariel de Luca/

Estela Mariel de Luca

Sole Panelist

Date: August 6, 2025