

ADMINISTRATIVE PANEL DECISION

Le Porc Gourmet, SA and Jorge Pork Meat, SL v. Julian Nova
Case No. D2025-2386

1. The Parties

The Complainants are LE PORC GOURMET, SA, Spain, and JORGE PORK MEAT, SL, Spain, represented by Integra, Spain.

The Respondent is Julian Nova, United States of America.

2. The Domain Name and Registrar

The disputed domain name <leporcgourmetsa.info> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 17, 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 17, 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 Complainants on June 18, 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 June 20, 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 15, 2025.

The Center appointed Andrea Mondini as the sole panelist in this matter on July 17, 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, LE PORC GOURMET, SA (the “first Complainant”) and JORGE PORK MEAT, SL (the “second Complainant”), are headquartered in Barcelona and Zaragoza, Spain, and are part of the internationally operating Spanish meat group known as GRUPO JORGE.

The first Complainant holds several domain names containing the term “leporcgourmet”, among them <leporcgourmet.es> which hosts its main website. The first Complainant’s domain name <leporcgourmet.es> is redirected to the main website of the group “www.jorgesl.com”.

The second Complainant owns the following trademark registration:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASS
LE PORC GOURMET GRUPO JORGE	European Union	018021515	July 20, 2019	29, 35, and 39

Because the Respondent did not file a Response, not much is known about the Respondent.

The disputed domain name was registered on March 13, 2025.

The disputed domain name resolves to an in-construction website displaying a default directory index page.

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 contend as follows:

The disputed domain name is confusingly similar to the LE PORC GOURMET GRUPO JORGE trademark in which the second Complainant has rights, because this trademark is fully incorporated in the disputed domain name.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The trademark LE PORC GOURMET GRUPO JORGE has been extensively used to identify the Complainants and their products. The Respondent has not been authorized by the Complainants to use this trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent’s use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods and services.

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the second Complainant and its well-known trademark LE PORC GOURMET GRUPO JORGE at the time it registered the disputed domain name.

The Respondent is using the disputed domain name in bad faith, by passively holding the domain name. A further factor of bad faith is the deliberate inclusion of the acronym “SA”, which stands for “Sociedad Anónima” in Spanish (Public Limited Company), thereby making the disputed domain name identical to the first Complainant’s corporate name.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

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

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 second Complainant's has shown rights in respect of the LE PORC GOURMET GRUPO JORGE trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the first and most prominent part of the mark (i.e. "leporcgourmet") is identically reproduced within the disputed domain name.

The omission of the words "GRUPO JORGE" and the addition of the letters "sa" to the disputed domain name do not prevent a finding of confusing similarity under the Policy. [WIPO Overview 3.0](#), sections 1.8 and 1.9.

The addition of the generic Top-Level Domain ("gTLD") ".info" in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), section 1.11.1.

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 for a complainant to prove that 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.

Based on the available record, 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.

In the view of the Panel, noting that that the second Complainant's trademark predates the registration of the disputed domain name and considering that the second Complainant's trademark is well-known, it is inconceivable that the Respondent could have registered the disputed domain name without knowledge of the second Complainant's well-known trademark. In the circumstances of this case, this is evidence of registration in bad faith.

The disputed domain name currently resolves to an in-construction website displaying a default directory index page. 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. Having reviewed the available record, the Panel finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of this proceeding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the second Complainant's trademark and the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and the composition of the disputed domain name being identical to the First Complainant's corporate name. Therefore, the Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Based on the available record, the Panel finds that the Complainants have established the third element of the Policy with regard to the disputed domain name.

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 <leporcgourmetsa.info> be cancelled.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: July 31, 2025