

ADMINISTRATIVE PANEL DECISION

Petroineos Europe Limited v. koon88 koon8, Plexusus
Case No. D2025-2533

1. The Parties

The Complainant is Petroineos Europe Limited, United Kingdom, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is koon88 koon8, Plexusus, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <petroineosuk.com> (the “Disputed Domain Name”) 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 27, 2025. On June 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 1, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 2, 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 July 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 28, 2025.

The Center appointed Nicholas Weston as the sole panelist in this matter on July 31, 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 is an incorporated refining and energy trading joint venture formed between United Kingdom based refining and petrochemical group, INEOS, and PetroChina International London (PCIL) whose parent company group, PetroChina, is one of the largest oil and gas businesses in the world. The Complainant was founded in 2011 and since that date has developed substantial good will and common law rights in the mark PETROINEOS.

In support of its assertion of common law trademark rights, the Complainant cites the history, origin and scale of use of the mark dating back to 2011, its registration of its domain name <petroineos.com> in 2011 which resolves to its main website, and its use of the mark on that website since at least 2011.

The Respondent registered the Disputed Domain Name on March 20, 2025. The Disputed Domain Name resolved to a Pay-Per-Click (PPC) landing-page displaying sponsored links including “All Purpose Lithium Grease”, “Best for Companies”, and “Chemical Company”. The Disputed Domain Name does not currently resolve to an active website.

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 cites the extent of the use of its trademark as an identifier of the Complainant's business for nearly a decade-and-a-half as sufficient to establish trademark rights for purposes of this proceeding.

The Complainant submits that its rights in the mark PETROINEOS predate the Respondent's registration of the Disputed Domain Name and submits that the Disputed Domain Name is confusingly similar to its common law trademark, for the reason that the “Respondent has added the geographical term 'UK' (i.e. for the United Kingdom) to Complainant's PETROINEOS unregistered trademark, thereby making the Disputed Domain Name confusingly similar to Complainant's trademark” notwithstanding the addition of the generic Top-Level Domain (“gTLD”) “.com”.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because the “Complainant has not licensed, authorized, or permitted Respondent to register domain names incorporating Complainant's trademark” and contends that none of the circumstances set out in paragraph 4(c) of the Policy apply.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Name was, and currently is, in bad faith, contrary to the Policy and the Rules because “an online search for “petroineosuk” only returns links referencing Complainant and its business”, and the Complainant advances the argument that the use of the Disputed Domain Name to display PPC links is use in bad faith.

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 has the burden of proving the following:

- (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.

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.

Based on the available record, the Panel finds 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 Complainant has produced sufficient evidence to demonstrate that it has rights in the common law trademark PETROINEOS in several countries.

Turning to whether the Disputed Domain Name is identical or confusingly similar to the PETROINEOS trademark, the Panel observes that the Disputed Domain Name is comprised of: (a) an exact reproduction of the Complainant's trademark PETROINEOS; (b) followed by the country name abbreviation "uk"; and (c) followed by the gTLD ".com".

It is well established that the gTLD used as part of a domain name is generally disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1. The relevant comparison to be made is with the second-level portion of the Disputed Domain Name, specifically: "petroineosuk".

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.

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 Disputed 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 Disputed 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.

The Panel finds that there is no indication that the Respondent was commonly known by the term "PETROINEOS" prior to registration of the Disputed Domain Name. The Complainant has not licensed, permitted, or authorized the Respondent to use the trademark PETROINEOS. The Panel also notes that the composition of the Disputed Domain Name carries a risk of implied affiliation (see [WIPO Overview 3.0](#), section 2.5.1).

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 notes the evidence that the Disputed Domain Name currently resolves to an inactive webpage, which supports the Complainant's contention, and finds that this does not represent a *bona fide* offering of goods or services, or a legitimate noncommercial or fair use, given the substantial reputation and goodwill of the Complainant's mark or capacity to otherwise mislead Internet users.

The Panel also notes the evidence that the Disputed Domain Name previously resolved to a PPC parking page displaying sponsored links including "All Purpose Lithium Grease", "Best for Companies", and "Chemical Company", and finds that this does not represent a *bona fide* offering of goods or services, or a legitimate noncommercial or fair use, given the substantial reputation and goodwill of the Complainant's mark or capacity to otherwise mislead Internet users.

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 present case, the Panel finds that the evidence in the case shows the Respondent registered and has used the Disputed Domain Name in bad faith.

On the issue of registration, this Panel finds that there is no reason for the Respondent to have registered the Disputed Domain Name other than to trade off the reputation and goodwill of the Complainant's mark. [WIPO Overview 3.0](#), section 3.1.4.

Further, a gap of several years between the establishment of a complainant's trademark rights and respondent's registration of a disputed domain name (containing the trademark) may indicate bad faith registration. In this case, the Respondent registered the Disputed Domain Name some 14 years after the Complainant established its trademark rights in the PETROINEOS mark. The Respondent has not come forward to rebut the Complainant's allegations or offer any alternative explanation.

On the issue of use, the Disputed Domain Name does not currently resolve to an active website.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the Complainant's well-known trademark, and the composition of the Disputed Domain Name and finds that in the circumstances of this case the passive holding of that Disputed Domain Name does not prevent a finding of bad faith under the Policy.

The Complainant's evidence is also that the Disputed Domain Name resolved, for a period of time, to a website displaying PPC links. Targeting of this nature is a common example of bad faith as referred to in paragraph 4(b)(iv) of the Policy and identified in many previous UDRP decisions. [WIPO Overview 3.0](#), sections 3.1.4 and 3.2.1.

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 <petroineosuk.com> be transferred to the Complainant.

/Nicholas Weston/

Nicholas Weston

Sole Panelist

Date: August 13, 2025