

ADMINISTRATIVE PANEL DECISION

Petróleo Brasileiro S.A. - Petrobras v. Tamires Miranda Cabo, petrobras
Case No. D2025-2753

1. The Parties

The Complainant is Petróleo Brasileiro S.A. - Petrobras, Brazil, represented by Siqueira Castro Advogados, Brazil.

The Respondent is Tamires Miranda Cabo, petrobras, United States of America.

2. The Domain Name and Registrar

The disputed domain name <petrobras-br.com> is registered with Squarespace Domains II LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 11, 2025. On July 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day 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 July 15, 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 amendment to the Complaint on July 16, 2025.

The Center verified that the Complaint together with the amendment to the 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 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 13, 2025.

The Center appointed Ada L. Redondo Aguilera as the sole panelist in this matter on August 18, 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 PETRÓLEO BRASILEIRO S.A – PETROBRAS, a Brazilian energy company with presence in 28 countries around the world ranked as the 7th biggest oil company in the world, with shares traded at stock exchanges, by the Petroleum Intelligence Weekly (PIW).

In Brazil, the Complainant is the owner of the trademark PETROBRAS in a wide range of international classes before the Brazilian Patent and Trademark Office, for example PETROBRÁS registration number 810520567 registration date May 17, 1983, class 410 and PETROBRÁS registration number 810520621 registration date May 17, 1983, class 410 among others. Both are valid until 2033.

The Complainant has several trademark registrations for the trademark PETROBRAS, including but not limited to the United States of America with the United States Patent and Trademark Office trademark registration No. 77976086 with a registration date of September 01, 2009, Australian Trademark Office trademark registration No. 945011, with a registration date of February 2, 2003, both for a variety of goods and services, included in classes 01, 04, 35, 37, 39 and 42.

The Complainant registered and has been using several domain names containing the trademark PETROBRAS, <petrobras.com> registered on March 6, 1996; <petrobras.com.br> registered on June 14, 1996, <petrobras.net> registered on January 16, 2000, <petrobras.org> registered on July 1, 2002, <petrobras.us> registered on July 14, 2004, among others.

The disputed domain name was registered on September 17, 2024.

At the time of filing the Complaint and the present Decision, the disputed domain name resolved to a website that was under construction.

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 contends that the disputed domain name is confusingly similar to its PETROBRAS, trademark since it includes the Complainant's trademark in its entirety, differing from the Complainant's trademark and domain name only by the hyphen "-" and the letters "br" which are the letters that stand for "Brazil" the name of the country where the Complainant is originated and where they have their main industrial and commercial activities. Also, the Complainant argues that the Respondent has no rights or legitimate interests concerning the disputed domain name, and finally, that the Respondent registered and was using the disputed domain name in bad faith. The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in its Complaint, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; (ii) the Respondent has no rights or legitimate interests with respect to the disputed domain name; and (iii) the disputed domain name have been registered and are 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 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 the hyphen "-" and the "br" term may bear on the assessment of the second and third elements, the Panel finds the addition of such a 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. With respect to the letters "br", in the absence of any evidence to the contrary, the Panel accepts the Complainant's submission that this is a common abbreviation for Brazil where the Complainant conducts its industrial operations, providing its products and services and it does not prevent a finding of confusing similarity. This Panel is guided by section 1.8 of the [WIPO Overview 3.0](#), which states that: "Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.

The Panel finds that the disputed domain name comprises the Complainant's trademark in its entirety and only differs by minor additions, those being (1) a hyphen "-", (2) the letters "br" and (3) the generic Top-Level Domain ("gTLD") ".com".

This Panel agrees that a gTLD indicator such as ".com" cannot be taken into consideration in this case when judging confusing similarity and is guided by the section 1.11.1 of the [WIPO Overview 3.0](#) where it states that: "The applicable Top Level Domain ("TLD") in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test."

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's lack of 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 is satisfied with the unrebutted evidence adduced by the Complainant in support of its prima facie case noting the absence of a response and the lack of any relation between the Complainant and the Respondent. The notoriety of the Complainant's trademark, as submitted by the Complainant, would present a significant hurdle for the Respondent to show rights or legitimate interests in the disputed domain name without submitting compelling reasons to this Panel to conclude otherwise.

Further, there is also no evidence to indicate that the Respondent is commonly known by the name "Petrobras" or the hyphen "- ", the term "br" or any combination thereof that would afford the Respondent rights or legitimate interests under paragraph 4(c)(ii) of the Policy. The Panel notes that the Respondent used the Complainant's trademark as an organization name when registering the disputed domain name. The Panel finds it likely that the Respondent adopted this name and registered the disputed domain name in order to benefit from confusion with the Complainant, which cannot give rise to rights or legitimate interests. The Panel accepts the Complainant's contention that the Respondent is not affiliated with it, authorized by it in any way to use the Complainant's trademark, nor does the Complainant carry out any activity for or has any business with the Respondent.

The Panel is further convinced that, due to the inactivity of the website, there was no bona fide offering of goods or services under paragraph 4(c)(i) of the Policy, nor a noncommercial or fair use pursuant to paragraph 4(c)(iii) 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 which 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 is confusingly similar to the Complainant's trademark, which was registered before the registration of the disputed domain name. Given the well-established reputation of the Complainant's PETROBRAS trademarks, it is unlikely that the Respondent selected the disputed domain name by chance without the Complainant in mind.

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. Circumstances indicating that a domain name was registered for the bad-faith including the nature of the disputed domain name (e.g., whether a typo of a famous mark, a domain name wholly incorporating the relevant mark plus a geographic term or one related to the complainant's area of commercial activity, or a pure dictionary term) and the distinctiveness of the trademark at issue, among other factors, are relevant to this inquiry. [WIPO Overview 3.0](#), section 3.1.

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 distinctiveness or reputation of the Complainant's PETROBRAS trademark, the composition of the disputed domain name that targets the Complainant, the fact that the Respondent failed to submit a

response to the Complaint, and finds that, in the present circumstances, including the passive holding of the disputed domain name, does not prevent a finding of bad faith under the Policy.

For all the foregoing reasons, the Panel finds that the disputed domain name was registered and is being used in bad faith.

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 <petrobras-br.com> be cancelled.

/Ada L. Redondo Aguilera/

Ada L. Redondo Aguilera

Sole Panelist

Date: August 28, 2025