

## **ADMINISTRATIVE PANEL DECISION**

Bunge SA v. JJN Samedjeu  
Case No. D2025-2758

### **1. The Parties**

The Complainant is Bunge SA, Switzerland, represented by 101domain.com, United States of America.

The Respondent is JJN Samedjeu, South Africa.

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

The disputed domain name <bungeofficial.com> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 12, 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 July 15, 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 (Information not available on WHOIS) 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 amended Complaint on July 18, 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 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 14, 2025.

The Center appointed Ganna Prokhorova as the sole panelist in this matter on August 19, 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, founded in 1818, is a global agribusiness and food company, which provides agricultural products, including grains and fertilizers, to stabilize crop infrastructure across the globe with the ultimate purpose of sustaining fuel-renewable energy solutions. The Complainant operates approximately 300 facilities in more than 40 countries with over 23,000 employees and became a public corporation in 2001.

The Complainant holds exclusive rights to the BUNGE trademark registrations worldwide, including, but not limited to, the following:

- United States of America Trademark Registration No. 2036787, registered on February 11, 1997, in respect of goods in class 29;
- United States of America Trademark Registration No. 2682681, registered on February 4, 2003, in respect of services in classes 35, 36, 39, 40 and 42;
- International Trademark Registration No. 864636, registered on December 15, 2004, in respect of goods and services in classes 4, 5, 29, 30, 31, 32, 35, 36, 39 and 40.

The Complainant maintains an extensive portfolio of over 100 domains, including <bungegroup.com>, <bungeonline.com>, and <bungeportal.com>. The Complainant's primary website under the domain name <bunge.com> was created in 1996 and provides instant access for online customers to learn more about the Complainant's supply chains, investment strategies, and detailed product and market descriptions promoted under the "BUNGE" brand name.

The disputed domain name was registered on April 28, 2025. As of the date of this Decision, the disputed domain name redirects users to the Complainant's official website under the domain name <bunge.com>. Moreover, according to the evidence presented by the Complainant, active MX records for the disputed domain name are configured. The email address configured was used to send fraudulent emails impersonating the Complainant and sending illegitimate sales inquiries to the Complainant's customers.

#### **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:

- (1) the disputed domain name is confusingly similar to the Complainant's BUNGE trademark. It incorporates the mark BUNGE in its entirety, followed by the word "official". The addition of this generic term does not distinguish the disputed domain name from the mark; rather, it reinforces an association with the Complainant by implying an official site. The Complainant's trademark remains clearly recognizable within the disputed domain name, and the generic Top-Level Domain (gTLD) ".com" is a standard registration requirement that does not affect the analysis of confusing similarity;

(2) the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not commonly known by the disputed domain name, has no trademark rights in "BUNGE", and has never been authorized to use the Complainant's mark. Instead, the disputed domain name has been used to impersonate the Complainant, including through fraudulent emails and spear-phishing attempts. The disputed domain name has redirected to the Complainant's official website, misleading Internet users into believing it was legitimately affiliated with the Complainant. Such conduct cannot constitute bona fide or fair use, but rather demonstrates a lack of rights or legitimate interests;

(3) the disputed domain name was registered and is being used in bad faith. The Respondent registered the disputed domain name in order to create a false impression of affiliation. By creating active MX records connected to the disputed domain name comprised entirely of the Complainant's trademark with the generic term "official", the Respondent clearly registered the disputed domain with Complainant's company in mind. The disputed domain name has been used for phishing schemes and fraudulent communications, and to disrupt the Complainant's business by deceiving customers and exploiting the goodwill of the BUNGE brand. The Respondent is willfully using a nearly identical and confusingly similar term to prevent the Complainant from utilizing the BUNGE trademark to reach customers that would otherwise search the corresponding domain.

The Complainant requests that the disputed domain name be transferred to the Complainant.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 15(a) of the Rules, the Panel must decide the case on the basis of the statements and documents submitted and in accordance with the Policy, the Rules, and any applicable principles of law.

The onus is on the Complainant to prove each element of paragraph 4(a) of the Policy. Pursuant to paragraph 4(a), the Complainant must establish each of the following three elements on the balance of probabilities:

- (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 in respect of the disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

The Respondent was given proper notice of the Complaint and had the opportunity to respond. Under paragraph 5(a) of the Rules, the Respondent was required to submit its response within 20 days of commencement of the proceeding. The Respondent failed to do so.

Pursuant to paragraph 5(f) of the Rules, in the event of such a default, the Panel shall proceed to a decision based on the Complaint. However, the Respondent's default does not mean that the Complainant automatically prevails; the Complainant continues to bear the burden of proof on each element. The Panel may draw appropriate inferences from the Respondent's silence, and, where appropriate, accept as true the reasonable allegations in the Complaint that are not contradicted by evidence.

The Panel has reviewed the entire case file and the evidence provided. The Panel is also guided, where pertinent, by the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), which reflects consensus positions of UDRP panels on many common issues. The Panel will make reference to these consensus views in the analysis below as applicable.

### **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 mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

Based on the evidence submitted by the Complainant, the Panel finds that the Complainant has shown rights in respect of the BUNGE mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name completely reproduces the Complainant's BUNGE trademark in combination with the term "official" and the gTLD ".com". According to the [WIPO Overview 3.0](#), section 1.8, 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. In this case, the addition of the term "official", to the BUNGE trademark does not prevent a finding of confusing similarity.

According to the [WIPO Overview 3.0](#), section 1.11, the applicable gTLD in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Accordingly, 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.

In this case, the Complainant has made such a prima facie showing. The Respondent has not been licensed or otherwise authorized to use the Complainant's BUNGE trademark in any manner. The Respondent is not commonly known by the disputed domain name. There is no evidence in the record that the Respondent owns any trademark rights corresponding to "BUNGE" or that it has made demonstrable preparations to use the disputed domain name in connection with a legitimate offering of goods or services.

On the contrary, the evidence shows that the Respondent registered and used the disputed domain name to impersonate the Complainant. The Complainant's customers reported receiving fraudulent sales inquiries from an email address created under the disputed domain name (e.g., ...@bungeofficial.com). The Complainant also filed an abuse complaint with the registrar and hosting provider on May 16, 2025, providing evidence of fraudulent communications, but no remedial action was taken. Furthermore, the disputed domain name has been configured with active MX and SPF records and has been used for spear-phishing attempts. According to the Complainant, the disputed domain name has even been redirected to the Complainant's official domain <bunge.com>, and the Panel notes that this redirection is still occurring at the time of this Decision.

Such use cannot constitute a bona fide offering of goods or services nor a legitimate noncommercial or fair use within the meaning of paragraph 4(c) of the Policy. As noted in [WIPO Overview 3.0](#), section 2.13, the use of a domain name for fraudulent purposes such as phishing or impersonation is manifestly illegitimate and cannot give rise to rights or legitimate interests. Moreover, panels have consistently held that registering a domain name incorporating another's trademark to mislead Internet users is not legitimate use. [WIPO Overview 3.0](#), section 2.5.

In the absence of any Response, the Respondent has failed to rebut the Complainant's prima facie case. Based on the evidence presented, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

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 finds that the Respondent targeted the Complainant and its BUNGE trademark at the time of registration. The disputed domain name wholly incorporates the Complainant's mark together with the term "official", a combination that strongly suggests an intent to impersonate the Complainant. As noted in section 3.2.2 of the [WIPO Overview 3.0](#), where a domain name is so obviously connected with a complainant's mark, panels readily infer that the registration was made with knowledge of and intent to target the complainant.

The evidence further shows that the Respondent has used the disputed domain name for fraudulent purposes. The disputed domain name has been configured with active MX and SPF records and was used to send phishing emails to the Complainant's customers, impersonating the Complainant's representatives. UDRP panels have consistently held that the use of a domain name for phishing or other fraudulent schemes constitutes bad faith registration and use. See [WIPO Overview 3.0](#), section 3.4.

In addition, the disputed domain name was redirecting to the Complainant's official website <bunge.com>, a tactic which only reinforces the false impression of affiliation and misleads Internet users. The Panel notes that this redirection was still occurring at the time of this Decision. Such conduct falls squarely within paragraph 4(b)(iv) of the Policy, as the Respondent has intentionally attempted to attract Internet users, for commercial gain or other deceptive purposes, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the disputed domain name.

Given the Complainant's longstanding and well-known rights in the BUNGE trademark, the Respondent's impersonating use, and the absence of any plausible good-faith explanation or Response, the Panel concludes that the disputed domain name has been registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

Accordingly, 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 <bungeoofficial.com> be transferred to the Complainant.

*/Ganna Prokhorova/*

**Ganna Prokhorova**

Sole Panelist

Date: August 24, 2025