

ARBITRATION AND MEDIATION CENTER

ADMINISTRATIVE PANEL DECISION

Bunge SA v. GLOBAL ID, INTERNET DATA CO., LIMITED Case No. D2025-3104

1. The Parties

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

The Respondent is GLOBAL ID, INTERNET DATA CO., LIMITED, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <bungleq.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 5, 2025. On August 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 5, 2025, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 August 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 3, 2025.

The Center appointed Gonçalo M. C. Da Cunha Ferreira as the sole panelist in this matter on September 10, 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, Bunge SA, is part of the global Bunge group, one of the leading agriculture and food processing companies founded in 1818, employing more than 23,000 people and operating over 300 facilities in more than 40 countries.

The Complainant owns multiple trademark registrations for the mark BUNGE, including:

- United States Trademark Registration No. 2036787 registered on February 11, 1997; and
- United States Trademark Registration No. 2682681 registered on February 4, 2003.

The disputed domain name was registered on April 24, 2025. According to the evidence provided in the Complaint, it was used to host a website displaying the Complainant's logo and offering investment opportunities. The Complainant has also filed evidence that it had received at least one complaint from a customer who was unable to withdraw the funds invested via the website at the disputed domain name. The domain name currently does not 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 contends that:

- 1. the disputed domain name is confusingly similar to the Complainant's BUNGE mark;
- 2. the Complainant has not authorized the Respondent to use its BUNGE trademark in any manner;
- 3. the Respondent is not commonly known by the disputed domain name;
- 4. the disputed domain name was registered and used solely for fraudulent purposes, including impersonation of the Complainant and the promotion of fraudulent investment opportunities; and
- 5. the Respondent registered and used the disputed domain name in bad faith, with the clear intent to mislead and defraud Internet users and to disrupt the Complainant's business.

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 must prove each of the following elements:

- (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 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 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 with the addition of letter "g", which does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's BUNGE mark. 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 may result in the difficult task of proving a negative. Where a complainant makes out a prima facie case, the burden of production shifts to the respondent to come forward with evidence of rights or legitimate interests. WIPO Overview 3.0, section 2.1.

Having reviewed the 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 this showing and has provided no evidence of rights or legitimate interests.

Panels have consistently held that the use of a domain name for illegal activity, here impersonation and fraud, can never confer rights or legitimate interests on a respondent. <u>WIPO Overview 3.0</u>, section 2.13.1.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out, without limitation, circumstances which if found by the Panel shall be evidence of registration and use of a domain name in bad faith.

In the present case, the Respondent registered the disputed domain name incorporating the Complainant's trademark, with the addition of a single letter "g". This, coupled with the use of the disputed domain name for a website displaying the Complainant's mark and logo and soliciting investments, suggests that the Respondent was aware of, and intended to target, the Complainant. In this regard, the Complainant has provided evidence of actual user confusion.

Panels have consistently held that the use of a domain name for illegal activity, such as fraud, constitutes bad faith under the Policy. See *Halliburton Energy Services*, *Inc. v. Gregory Wilson / Infotech Ltd.*, WIPO Case No. <u>D2017-0956</u>; <u>WIPO Overview 3.0</u>, section 3.4.

The Panel concludes that the Respondent's registration and use of the disputed domain name constitute bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

The Panel finds the third element of the Policy has been established.

7. Decision

/Gonçalo M. C. Da Cunha Ferreira/
Gonçalo M. C. Da Cunha Ferreira

Sole Panelist

Date: September 23, 2025