

ADMINISTRATIVE PANEL DECISION

Sicredi participações S.A. v. Ana Sudario
Case No. D2025-3451

1. The Parties

The Complainant is Sicredi Participações S.A., Brazil, represented by Silveiro Advogados, Brazil.

The Respondent is Ana Sudario, Brazil.

2. The Domain Names and Registrar

The disputed domain names <sicredi.promo> (the “First disputed domain name”) and <sicredi.website> (the “Second disputed domain name”) are registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 26, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 27, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names 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 September 3, 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.

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 September 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 29, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on October 2, 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 a Brazilian cooperative that provides financial services, presently counting with over 9 million members and holding more than BRL 397.4 billion (roughly USD 75 billion).

The Complainant is the owner of the domain name <sicredi.com.br>, registered on September 1, 1999, and used as its official webpage. The Complainant is also the owner, amongst several others, of the Brazilian trademark registration No. 814022499 for the word mark SICREDI, in local class 41.50, filed on December 30, 1987, registered on August 29, 1989, subsequently renewed.

The First disputed domain name was registered on July 22, 2025, and presently resolves to a parked webpage.

The Second disputed domain name was registered on June 30, 2025, and presently does not resolve to an active webpage.

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 names.

The Complainant asserts to have been rendering financial services in Brazil since 1902 under the SICREDI trademark which has become recognized not only for its broad portfolio of cooperative financial services, but also for offering customized solutions for individuals, companies and the entire cooperative ecosystem

The Complainant contends that the Respondent is potentially misleading users into believing that the disputed domain names are official domains of the Complainant and that the Complainant would be potentially offering cash "promotions" – which is not true.

Under the Complainant's view, the disputed domain names entirely reproduce the Complainant's SICREDI trademark, as they fully incorporate it.

As to the lack of rights or legitimate interests in the disputed domain names, the Complainant asserts that:

- the Complainant has not licensed or otherwise permitted the Respondent to use any of its SICREDI trademark and, according to the best knowledge and information of the Complainant, the Respondent does not hold any registration for an equivalent trademark;
- SICREDI is a coined term, created by the Complainant from the Portuguese words "SISTEMA COOPERATIVO DE CRÉDITO" ("cooperative credit system") and therefore, the term "SICREDI" has no dictionary meaning in Portuguese, English, or any other language that could justify its registration and use by the Respondent; and
- the Respondent has also used the disputed domain names to specifically target the Complainant's clients purportedly offering alleged cash promotions, likely in what constitutes a fraudulent scheme, what does not characterize e bona fide offering of goods or services.

Lastly, the Complainant contends that the Respondent is located in Minas Gerais, Brazil being it highly unlikely that the Respondent would have been unaware of the Complainant's rights, given the notoriety of the SICREDI trademark in Brazil. In addition to that, the Complainant asserts that there are strong indications that the Respondent intended to deceive Internet users into believing that the Complainant would be offering cash promotions, exploiting this false impression to unlawfully collect sensitive information such as banking credentials, credit card data, personal identification documents, authentication tokens, and other confidential details. Another indication of the Respondent's bad faith is the lack of reply to the cease-and-desist letter sent by the Complainant to the Respondent's representatives expressly informing the unlawful use of the SICREDI trademark within the disputed domain name and requesting that this practice should be immediately interrupted (Annex 11 to the Complaint).

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements, which have to be met for this Panel to order the transfer of the disputed domain names to the Complainant:

- (i) the disputed domain names are 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 names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

The Complainant must prove in this administrative proceeding that each of the aforementioned three elements is present in order to obtain the transfer of the disputed domain names.

In accordance with paragraph 14(a) of the Rules, if the Respondent does not submit a Response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

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 Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are identical 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 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Respondent, in not responding to the Complaint, has failed to invoke any of the circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights to or legitimate interests in the disputed domain names. This entitles the Panel to draw any such inferences from such default as it considers appropriate pursuant to paragraph 14(b) of the Rules. Nevertheless, the burden of proof is still on the Complainant to make a prima facie case against the Respondent.

In that sense, the Complainant indeed states that it has not licensed or otherwise permitted the Respondent to use any of its SICREDI trademark.

Also, the lack of evidence as to whether the Respondent is commonly known by the disputed domain names or the absence of any trademarks registered by the Respondent corresponding to the disputed domain names, corroborates with the indication of the absence of a right or legitimate interest in the disputed domain names.

Furthermore, the Panel concludes that the Respondent has indeed not used the disputed domain names in connection with a bona fide offering of goods or services given the use of the disputed domain names, merely resolving to parked or inactive webpages. Moreover, the composition of the disputed domain names, being identical to the Complainant’s trademark, carries a high risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain names.

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.

The registration and use of the disputed domain names in bad faith can be found in the present case in view of the following circumstances:

- a) the use of the disputed domain names resolving to parked or inactive webpages;
- b) the identical composition of the disputed domain names, see [WIPO Overview 3.0](#), section 3.2.1; and

c) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the disputed domain names.

For the reasons as stated above, the Panel finds that the disputed domain names were registered and are being used in bad faith pursuant to paragraph 4(b)(i) of the Policy.

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 names <sicredi.promo> and <sicredi.website> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: October 16, 2025