

ADMINISTRATIVE PANEL DECISION

Itau Unibanco S.A. v. Aliaksey Voronov
Case No. D2025-3534

1. The Parties

The Complainant is Itau Unibanco S.A., Brazil, represented by Kasznar Leonardos Advogados, Brazil.

The Respondent is Aliaksey Voronov, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <premioitau.org> 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 September 1, 2025. On September 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 2, 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 (Godaddy.Com, LLC) 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 on September 19, 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 September 19, 2025. In accordance with the Rules, paragraph 5, the original due date for Response was October 9, 2025. The Respondent sent email communications to the Center on September 22, 2025. On October 1, 2025, the administrative proceedings were suspended per the Complainant’s request. On October 31, 2025, the proceedings were reinstituted. The new Response due date was November 8, 2025. The Respondent did not provide further submissions to the Center. Accordingly, the Center notified the commencement of the panel appointment process on November 10, 2025.

The Center appointed Andrea Jaeger-Lenz as the sole panelist in this matter on November 17, 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 private Brazilian bank with a presence in 18 countries and territories, most in Latin America, operating in retail, wholesale, investment banking, wealth management, credit, insurance, payment solutions and digital services serving millions of customers. The element “Itaú” within the Complainant’s company name means “black stone” in indigenous language and was adopted in 1944. This brand was valued at USD 8.6 billion by 2025 Global Ranking by Brand Finance (see “<https://brandfinance.com/press-releases/itau-e-banco-do-brasil-sao-os-unicos-representantes-do-brasil-no-ranking-global-500-2025>” as per footnote 1 to the Complaint).

The Complainant owns several trademark registrations in Brazil consisting of or containing “Itaú” (as per Annex 6 to the Complaint), including the following:

- Brazilian (“BR”) trademark registration no. 006117066 for ITAÚ (word), registered on July 25, 1975 for services in Class 36;
- European Union (“EU”) trademark registration no. 003514866 for ITAÚ, registered on June 21, 2005 for services in Classes 36 and 42.

The trademark ITAÚ has been afforded the status of Mark of High Renown by The Brazilian Trademark Office through registration no. 006117066 on August 8, 2017 (as per Annex 5 to the Complaint).

The Complainant owns, amongst others, the domain name <itau.com.br>, registered before January 1, 1995 (as per Annex 7 to the Complaint), which resolves to its official website.

The disputed domain name was originally registered by the Complainant itself on March 26, 2013. It was used by the Complainant’s Itaú Fundación for various awards, including the “Premio Itaú Cuento Digital” until 2021 (as per Annex 8 to the Complaint). Before the filing of the present Complaint, the disputed domain name resolved to a website promoting online betting and gambling services (as per screenshot copied into the Complaint and Annex 9 to the Complaint).

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 it owns ITAÚ trademarks around the world. As the trademark is wholly incorporated in the disputed domain name, this is sufficient to establish confusing similarity. Neither the use of the generic Top-Level Domain (“gTLD”) “.org” nor the addition of the word “premio” prevent the likelihood of confusion, as “premio” is a generic word meaning “prize” or “award”.

On the second element, the Complainant claims that the Respondent is not known by the Complainant and does not engage in any activity, nor has any business with the Complainant. In particular, the Complainant never authorized the Respondent to register or use any domain name incorporating its trademark.

On the third element, the Complainant points to the well-known character of its ITAÚ trademark and that, by virtue of this, the Respondent knew or should have known of the existence of its trademark. The Complainant finds that registering a domain name containing a well-known trademark constitutes bad faith per se. The choice of the disputed domain name cannot be a mere coincidence, but it seems to have been deliberately chosen to create a likelihood of confusion with the Complainant, this in particular, as the Complainant has, through a subsidiary, been the owner of the disputed domain name and used the same between 2013 and 2021. Also, for this reason, consumers may be misled into believing that the disputed domain name is in some way connected to the Complainant. Besides that, while “.org” gTLDs are intended for individuals and non-profit organizations, the Respondent uses the disputed domain name clearly for profit and for gambling services that the consumers may associate with the Complainant and which is likely to tarnish the reputation of the Complainant’s trademark.

B. Respondent

The Respondent did not formally reply to the Complainant’s contentions. Further to the Notification of the Complaint, the Respondent, on September 22, 2025, sent email communications to the Center stating that he registered the disputed domain name to create his own informational website, and, when choosing it, was interested only in its search engine optimization parameters, and that he was unaware that the disputed domain name would “coincide with someone else’s name or trademark”. He further states that he “had no intention of violating anyone’s rights”, and “the domain has lost its significance for me, and you are free to dispose of it as you see fit”.

6. Discussion and Findings

6.1 Preliminary Matters

The Panel notes that the Written Notice of the Complaint could not be delivered to the Respondent’s address. However, given the Written Notice was sent to the relevant address disclosed by the Registrar, then the Panel considers that this satisfies the requirement in paragraph 2(a) of the UDRP Rules to “employ reasonably available means calculated to achieve actual notice”. Since the Respondent’s postal address is stated to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue. Having considered all the circumstances of the case, the Panel is of the view that it should. The Panel notes that the Center has sent the Written Notice of the Complaint by registered post and the Notification of Complaint by email to the Respondent at its postal address and email address as registered with the Registrar.

Besides that, the Respondent’s email of September 22, 2025 is evidence that the case notification email to this email address was successfully delivered. Further, the Respondent apparently registered the disputed domain name as recently as March 2025 and thus would appear to be capable of controlling the disputed domain name and the related content and that, having apparently received notification of the Complaint by email, it would have been able to formulate and file a Response if it wished to do so. Lastly, the Complainant has selected as the mutual jurisdiction the courts at the location of the principal offices of the concerned Registrar, such courts not being subject to an international conflict and thus the Panel finds that proceeding with this Decision does not preempt the Respondent from asserting its rights under paragraph 4(k) of the Policy to submit this dispute to the courts at the applicable mutual jurisdiction. Accordingly, the Panel considers it is able to proceed to determine this Complaint (see, e.g., *Wilshire Refrigeration & Appliance, Inc. v. Oleksandr Kliuiev, Henryslist.com*, WIPO Case No. [D2024-0962](#)).

6.2 Substantive Matters

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 ITAÚ mark is reproduced within the disputed domain name, minus the acute accent in the letter "ú" of the Complainant's mark. The Panel finds that the mark is still recognizable within the disputed domain name..

The additional term "premio" does not prevent a finding of consuming similarity for the purposes of the first element. [WIPO Overview 3.0](#), section 1.8. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy.

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 name. The Respondent, in his emails of September 22, 2025, 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.

Rather, the Panel notes that the Respondent's unsupported allegation of having registered the disputed domain name for an "informational website" is contradictory to the evidence of the case, as the Complainant has provided evidence that the disputed domain name was used to promote gambling services.

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 notes that the Respondent registered the disputed domain name wholly incorporating the Complainant's trademark, minus the acute accent in the letter "ú" of the Complainant's mark, which was previously held and used by a foundation of the Complainant granting certain awards and prizes to the public for certain noncommercial efforts. The Respondent has used the disputed domain name to resolve to a website also promoting prizes, though the prizes that allegedly could be gained would be the result of placing stakes in a betting or gambling effort.

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, also taking into account the Respondent's email communications of September 22, 2025, the Panel fails to see that the choice of the disputed domain name was accidental and that the website under the disputed domain name merely served informational purposes. Rather, in particular with a view to the fact that the disputed domain name had previously been used by the Complainant itself for certain prizes, and considering that the Respondent had purposefully created a Spanish language website, the language spoken in the region where the Complainant is known, the Panel considers that in choosing and using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location. This constitutes bad faith. [WIPO Overview 3.0](#), sections 3.1, and 3.2.1. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under 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 name <premioitau.org> be transferred to the Complainant.

/Andrea Jaeger-Lenz/

Andrea Jaeger-Lenz

Sole Panelist

Date: December 1, 2025