

ADMINISTRATIVE PANEL DECISION

PETRUS v. danny sullivan
Case No. D2025-3609

1. The Parties

The Complainant is PETRUS, France, represented by SELAS Lexington Avocats, France.

The Respondent is danny sullivan, United States of America ("US").

2. The Domain Name and Registrar

The disputed domain name <petruswine.com> (the "Domain Name") 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 5, 2025. On September 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On September 9, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 11, 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 September 15, 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 September 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 16, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on October 24, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant produces and sells wine globally under the trademark PETRUS.

The Complainant owns trademark registrations in PETRUS, such as in France and in the US where the Respondent is located. See e.g. French trademark number 1442194 (registered on December 28, 1987) and US trademark registration number 1225241 (registered on January 25, 1983). The Complainant's trademark is regularly mentioned in international press. French courts and the European Union Intellectual Property Office ("EUIPO") have ruled that PETRUS enjoys the status of a well-known trademark. The Complainant has also registered numerous domain names, such as <petrus.com> (registered in 1996), <petrus.wine> (registered in 2016) and <chateau-petrus.wine> (registered in 2016).

The Domain Name was first registered on October 15, 1999. It is unclear if it was first registered by the Respondent, or if the Domain Name has been transferred to the Respondent later. The Domain Name redirects to the Registrar's web page where the Domain Name is offered for sale.

5. Parties' Contentions

A. Complainant

The Complainant provides evidence of trademark registrations and argues that its trademark is well-known.

The Complainant states that the Domain Name is confusingly similar to the Complainant's trademark as the Domain Name incorporates the Complainant's trademark in combination with the descriptive term "wine", which directly refers to the products covered by the Complainant's trademarks. The Complainant argues that the Domain Name is visually, phonetically and conceptually very similar to its trademark PETRUS.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. There is no evidence of preparation for use or use of the Domain Name for a legitimate purpose. The Complainant has not authorized the Respondent to use and register its trademark.

Given the widespread reputation of the Complainant's trademark, the Complainant argues that the Respondent was aware of the Complainant's trademark when the Respondent registered the Domain Name. It also follows from the fact that the Respondent has coined PETRUS with the product "wine". The Complainant argues that the Respondent's misappropriation is financially motivated. The Domain Name has been offered for sale at a high price. The high price is due to the reputation of the Complainant's trademark. Furthermore, the Complainant argues that the recent activation of the MX servers connected to the Domain Name suggests that the Domain Name may be used for fraudulent/phishing purposes.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

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 Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has established that it has rights in the trademark PETRUS. In this case, the Domain Name incorporates the Complainant's trademark with the addition of "wine". The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain; see [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. 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.

The Respondent is not affiliated with or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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.

On the balance of probabilities, the Panel concludes that the Respondent knew of the Complainant when the Respondent registered the Domain Name. It follows from the composition of the Domain Name and the fame of the Complainant. The Domain Name appears to be acquired for the purpose of selling it for valuable consideration in excess of out-of-pocket costs directly related to the domain name, or to set up e-mail addresses for phishing purposes. Both are clear evidence of bad faith.

Based on the available record, 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 the Domain Name <petruswine.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: October 31, 2025