ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Naturgy Energy Group, S.A. v. Fan Jian Fei
Case No. D2025-3854

1. The Parties

The Complainant is Naturgy Energy Group, S.A., Spain, represented by Elzaburu SLP, Spain.

The Respondent is Fan Jian Fei, China.

2. The Domain Name and Registrar

The disputed domain name <naturgygroup.com> is registered with Dominet (HK) Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 22, 2025. On September 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 24, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 24, 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 25, 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 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 20, 2025.

The Center appointed Jonathan Agmon as the sole panelist in this matter on October 23, 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 Spanish multinational company in the business of generating, distributing, and marketing of energy and services. Founded in 1991, it has a presence in Spain, Latin America (Argentina, Chile, Brazil, Mexico and Panama), Australia and the United States of America.

The Complainant owns a large portfolio of trademark registrations for NATURGY, including the following:-

- European Union trademark registration no. 016692527 for NATURGY, registered on November 10, 2017;
- Spanish trademark registration no. 3665210 for NATURGY, registered on November 23, 2017; and
- International trademark registration no. 1395609 for NATURGY, registered on December 20, 2017.

The Complainant owns various domain names, including:

- <naturgy.es>, registered on December 23, 2016; and
- <naturgy.com>, registered on May 8, 2007.

The disputed domain name was registered on May 8, 2025, and at the time of filing the Complaint, resolved to a webpage in Chinese where it was advertised for sale for the sum of CNY 297,699.

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:

- the disputed domain name contains the entirety of the Complainant's NATURGY trademark and the term "group", which is associated with the Complainant's company name, Naturgy Energy Group, S.A. The disputed domain name also almost entirely reflects the Complainant's corporate name. Even if the Complainant's corporate name did not contain the term "group", the use of the term "group" is understood as referring to the Complainant's corporate group or business activities. The addition of the generic Top-Level Domain ("gTLD") ".com" is a technical requirement and is not taken into account when assessing identity or confusing similarity.

- the Respondent has no rights or legitimate interests in respect of the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name. The Respondent does not have any rights in respect of the NATURGY trademark. The Complainant is not authorised, licensed, or permitted the Respondent to register or use the disputed domain name and/or the NATURGY trademark. The Respondent does not have any rights to the NATURGY trademark. The Respondent has had a pattern of abusive conduct resulting in him being the subject of numerous past UDRP proceedings. This is also indicative of a lack of rights or legitimate interests in the disputed domain name. The Respondent also failed to respond to the Complainant's cease and desist letter dated May 30, 2025, which is evidence of bad faith. The disputed domain name is being offered for sale for the sum of [CNY] 297,699, a sum which is more than the reasonable out-of-pocket expenses incurred for the acquisition of the disputed domain name. This is also evidence of bad faith.

- The disputed domain name was registered and is being used in bad faith. The disputed domain name was registered long after the Complainant's NATURGY trademarks were first registered. The NATURGY trademark has been in use for a long time and has acquired a reputation and degree of recognition in the industry. The Complainant's NATURGY trademark is highly distinctive and the reasonable inference is that the Respondent registered the disputed domain name for its trademark value. The Respondent has had a

pattern of bad faith conduct and has been the subject of at least two UDRP proceedings, and this is evidence of the Respondent's bad faith. The disputed domain name resolves to a webpage where it is listed for sale for [CNY] 297,699, a price that exceeds the Respondent's reasonable registration costs. The registration and use of the disputed domain name gives rise to a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the disputed domain name, and it is difficult to contend that the Respondent did not register the disputed domain name to capitalize on the Complainant's business and trademarks to prevent the Complainant from reflecting its mark in the disputed domain name, or to attract Internet users for commercial gain. The disputed domain name gives an impression of association with the Complainant and has the capacity to deter Internet traffic away from the Complainant's official website. The disputed domain name does not include any elements to differentiating it from the Complainant and its trademarks. The use of a privacy service is also evidence of bad faith.

B. Respondent

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

6. Discussion and Findings

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. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

Although the addition of another term here, the suffix "group", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.8.

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 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.

There is no evidence to suggest that the Respondent is commonly known by the disputed domain name. The Complainant's registration of its trademark predates the registration of the disputed domain name. The disputed domain name resolves to a website where it is advertised for sale for the sum of CNY 297,699 (approximately USD 41,805), a sum which likely exceeds the out-of-pocket registration costs for the disputed domain name. The Panel is of the view that there is no evidence that the Respondent is using or preparing to use the disputed domain name for any legitimate purpose.

In addition, the composition of the disputed domain name, which includes the Complainant's trademark and the additional term "group", may mislead Internet users into believing that the disputed domain name is connected to the Complainant, contrary to the fact.

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 long after the Complainant registered its NATURGY trademark. Given the distinctiveness and reputation of the Complainant's NATURGY trademark, it is unlikely that the Respondent was not aware of the Complainant and its trademark prior to the registration of the disputed domain name. This is especially so as the disputed domain name comprises of the Complainant's NATURGY trademark, with the addition of the term "group", which falsely gives the impression that the disputed domain name is affiliated with the Complainant.

The Panel is convinced that the evidence shown proves that the Respondent was targeting the Complainant and its trademark when registering the disputed domain name.

The disputed domain name resolves to a website where it is advertised for sale for the sum of CNY 297,699 (approximately USD 41,805), a sum which likely exceeds the out-of-pocket registration costs for the disputed domain name. Such use of the disputed domain name cannot be considered use in good faith in this case.

The Panel further notes that the Respondent failed to reply to the Complainant's cease and desist letter sent on May 30, 2025 to the Registrar which had requested the Registrar to forward the Complainant's letter to the Respondent.

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 <naturgygroup.com> be transferred to the Complainant.

/Jonathan Agmon/
Jonathan Agmon
Sole Panelist
Date: November 4, 2025