

## **ADMINISTRATIVE PANEL DECISION**

Sumol+Compal, S.A. v. Craig Standley8, Sells vondour  
Case No. D2025-4311

### **1. The Parties**

The Complainant is Sumol+Compal, S.A., Portugal, represented by J. Pereira da Cruz, S.A., Portugal.

The Respondent is Craig Standley8, Sells vondour, United States of America.

### **2. The Domain Name and Registrar**

The disputed domain name <sumolcompalsa.com> is registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 21, 2025. On October 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 23, 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 sent an email communication to the Complainant on October 27, 2025, providing the registrant and contact information disclosed by the Registrar.

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 October 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 19, 2025.

The Center appointed Luis Miguel Beneyto Garcia-Reyes as the sole panelist in this matter on November 25, 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 leading company in Portugal in the sector of non-alcoholic beverages.

The Complainant is the owner, among others, of the following trademark registrations protecting the term SUMOL+COMPAL, SUMOL, and COMPAL:

- Portuguese trademark registration 438621 SUMOL+COMPAL, in class 32, granted on December 19, 2008;
- European Union registration 3962362 SUMOL in classes 30 & 32 granted on August 14, 2008; and
- European Union registration 701103 COMPAL in classes 29,30 & 32, granted on October 16, 1998.

The website to which the disputed domain name resolves to is currently inactive, but the Complainant has provided evidence showing that the disputed domain name was previously used to offer products displaying the Complainant's trademarks and logo. The disputed domain name was registered on June 15, 2024.

#### **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 Complainant is the holder of the registration of the trademarks SUMOL+COMPAL, SUMOL, and COMPAL.

The Complainant SUMOL+COMPAL, S.A.is a Portuguese company that results from the integration of two well-known companies internationally, which owned respectively the two trademarks SUMOL and COMPAL. The Complainant is the leader in the Portuguese market in the non-alcoholic beverage sector.

The Respondent had the website under the disputed domain name activated, impersonating the Complainant, namely through the use of its trademark/image and identifying itself with the Complainant's corporate name.

The disputed domain name reproduces the Complainant's Trademark SUMOL+COMPAL in its entirety, and also its trademarks SUMOL and COMPAL.

The Respondent does not have any rights or legitimate interests over the designations SUMOLCOMPAL, SUMOL or COMPAL.

The Respondent's sole purpose in registering the disputed domain name is to use it for its benefit and to the detriment of Complainant's trademarks, attempting to fraudulently affect the image of the Complainant.

The Complainant has already been confronted with fraudulent initiatives promoted by the Respondent, contacting third parties with supposedly proposed quotes, using its image, brand, and company name and during those initiatives the Respondent used the name of a Complainant's employee.

Based on the above-mentioned allegations, the Complainant requests that the disputed domain name be transferred to the Complainant.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, the Complainant must prove: i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and iii) that the Respondent has registered and is using the disputed domain name 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. 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 other terms (in this case "SA" which is the acronym of "Sociedade Anónima"— the legal type of the company--) 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.

In addition, the composition of the disputed domain name is inherently misleading as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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

### **C. Registered and Used in Bad Faith**

The Panel finds that the Complainant has submitted sufficient evidence to conclude that there is indeed bad faith registration and use of the disputed domain name on the part of the Respondent pursuant to paragraph 4(b)(iv) of the Policy.

This conclusion is reached based on the Panel's findings below:

- Considering the Respondent's use of the disputed domain name proven by the Complainant, the Panel concludes that the disputed domain name was registered with the purpose of creating a false impression of association or commercial connection with the Complainant among the public. Moreover, in the absence of a response to the Complaint by the Respondent, it must also be concluded that it is not plausible that the creation of the disputed domain name was the result of an exercise of inventiveness on the part of the Respondent, but rather that the Respondent was aware of the existence of the Complainant and/or its trademarks. For all these reasons, the Panel determines that the disputed domain name was registered in bad faith.

- Additionally, although the disputed domain name is currently inactive, the Complainant has provided evidence showing that the disputed domain name was indeed used, as already commented, for sending a fraudulent quote using the Complainant's trademark and contact details with the purpose of creating the appearance of a connection or affiliation between the website identified by the disputed domain name and the Complainant, by displaying its trademarks and logo. Consequently, the Panel decides that the disputed domain name has been used in bad faith.

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 <sumolcompalsa.com> be transferred to the Complainant.

*/Luis Miguel Beneyto Garcia-Reyes/*

**Luis Miguel Beneyto Garcia-Reyes**

Sole Panelist

Date: December 9, 2025