

## ADMINISTRATIVE PANEL DECISION

Enpal B.V., Zweigniederlassung Berlin v. Name Redacted  
Case No. D2025-4324

### 1. The Parties

The Complainant is Enpal B.V., Zweigniederlassung Berlin, Germany, represented by MarkMonitor Inc., United States of America.

The Respondent is Name Redacted<sup>1</sup>.

### 2. The Domain Names and Registrar

The disputed domain names <e-enpal.com>, <eenpal.com> and <eenpal.support> (the “Domain Names”) are registered with NameCheap, Inc. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 22, 2025. On October 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On October 23, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the Domain Names which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 23, 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 October 29, 2025.

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<sup>1</sup> The Respondent appears to have used the name of an unrelated entity when registering the Domain Names. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the Domain Names, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in these proceedings, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 November 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 26, 2025.


The Center received a third-party email on November 21, 2025. The Respondent did not submit any response. Accordingly, the Center informed the Parties that it would proceed with the panel appointment on November 27, 2025.

The Center appointed Gregor Vos as the sole panelist in this matter on December 5, 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 German company operating in the renewable energy sector. It specializes in the installation and operation of solar energy systems, heat pumps, and energy management solutions. Its main focus is on Germany and Italy, where it serves over 80,000 customers.

The Complainant is the owner of inter alia the following trademark registrations (hereinafter referred to as: the “Trademarks”):

- German trademark registration No. 302018018431 for ENPAL (word) registered on November 1, 2018; and
- International Trademark Registration with designation of inter alia the European Union and Indonesia No. 1805547 for **Enpal**  registered on December 11, 2023.

In addition, the Complainant is the owner of inter alia the domain name <enpal.com>, registered on December 21, 1998. The Complainant uses this domain name to promote its products and services.

The Domain Names <e-enpal.com> and <eenpal.com> were registered on March 17, 2025. The Domain Name <eenpal.support> was registered on April 3, 2025. At the time of the filing of the Complaint, the Domain Names <e-enpal.com> and <eenpal.com> resolved to identical websites in German with a header “Solaranlage kaufen: Das Angebot vom Marktführer | Enpal” (in English: “Buying a solar power system: The market leader's offer | Enpal”) on which content was displayed of activities related to the Complainant's services and on which the Trademarks were displayed. The Domain Name <eenpal.support> resolved to an inactive website displaying a “test” page notification. At the time of this Decision, the Domain Names resolve to websites on which an error message of the hosting provider is depicted.

#### **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 Domain Names.

Notably, the Complainant contends that the Domain Names are confusingly similar to the Trademarks of the Complainant, the Respondent has no rights or legitimate interests in the Domain Names, and the Domain Names have been registered and are being used in bad faith.

Firstly, the Complainant argues that the Domain Names are confusingly similar to the Trademarks. The Domain Names incorporate the Trademarks in their entirety, with the addition of the letter “e”. This does not prevent a finding of confusing similarity. Furthermore, the additions of generic Top-Level Domains (“gTLD”) such as “.com” and “.support” should be considered standard registration requirements and must be disregarded. The Complainant also highlights that, as a leader in the renewable energy market, the public associates the goods and services with its Trademarks. This recognition creates a clear likelihood of confusion or association between the Complainant and the Domain Names.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the Domain Names. The Complainant has not granted the Respondent any authorization, license or consent to use the Trademarks in the Domain Names. The Respondent has not demonstrated any bona fide use of the Domain Names. On the contrary, the Domain Names <e-enpal.com> and <eenpal.com> imitate the Complainant’s official website by reproducing their Trademarks and content, an act of impersonation that cannot confer rights or legitimate interests on the Respondent. Furthermore, the Respondent is not commonly known by the Domain Names, and there is no evidence to suggest that the Respondent holds any trademark rights in these terms. Additionally, the Respondent provided false contact information, a factor that must be weighed when assessing legitimate fair use. Moreover, the Complainant holds that the Respondent had configured fill-in contact forms on the websites connected with the Domain Names <e-enpal.com> and <eenpal.com>, which is evidence of fraudulent activity.

Finally, the Complainant submits that the Respondent has registered and is using the Domain Names in bad faith. It is implausible that the Respondent was unaware of the Complainant’s Trademarks at the time of registration, particularly given their substantial reputation worldwide. The selection of Domain Names that are clearly connected to the Trademarks with a reputation points to opportunistic bad faith. In any event, a simple search via the Internet would have revealed the existence of the Complainant and its Trademarks, and the Respondent’s failure to do so further supports a finding of bad faith. Moreover, the Respondent’s use of the Domain Names <e-enpal.com> and <eenpal.com> to impersonate the Complainant’s official website, and the reproduction of its logo and content, suggests an intentional attempt to create confusion and mislead Internet users. Lastly, the privacy services employed by the Respondent to conceal its identity constitute an additional indication of bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

For the Complainant to succeed, it must prove within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

- i. the Domain Names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- ii. the Respondent has no rights or legitimate interests in respect of the Domain Names; and
- iii. the Domain Names have been registered and are being used in bad faith.

Only if all three elements have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. The Panel will deal with each of the requirements in turn.

### **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 Domain Names. 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 Trademark is reproduced within the Domain Names. Accordingly, the Domain Names are confusingly similar to the Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

In general, the addition of gTLDs, such as “.com” and “.support” respectively, is disregarded for the assessment of the first element. Although the addition of the letter “e” and the hyphen in the Domain Name <e-enpal.com> may bear on assessment of the second and third elements, the Panel finds the addition of this letter and the hyphen does not prevent a finding of confusing similarity between the Domain Names and the Trademark 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 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 Domain Names such as those enumerated in the Policy or otherwise.

In this case, the composition of the Domain Names which fully incorporate the Trademark and impersonating use of the Domain Names <e-enpal.com> and <eenpal.com> to imitate the Complainant’s official website by reproducing its Trademarks and content reflect the Respondent’s ultimate intent to confuse Internet users into believing that the Domain Names are operated by the Complainant. The Panel finds that such use does not confer rights or legitimate interests under the Policy.

Furthermore, with regard to the Domain Names <e-enpal.com> and <eenpal.com>, panels have held that the use of a domain name for illegitimate activity, in this case the impersonation of the Complainant /passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. Furthermore, the fact that Mail Exchange (MX) records are configured for all of the Domain Names in this case suggests an intention to use the Domain Names for illegal purposes, such as phishing.

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.

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, the Panel notes that the Trademarks predate the registration date of the Domain Names. Considering that all of the Domain Names reproduce the Trademarks in their entirety with the mere addition of the letter "e", and a hyphen in the Domain Name <e-enpal.com>, and the impersonating use to which two Domain Names were previously put, the Panel agrees with the Complainant that it is not conceivable that the Respondent chose the Domain Names without knowledge of the Complainant's activities and Trademarks.

Further, the Panel has found that the Respondent lacks any rights to or legitimate interests in the Domain Names, finds from the present circumstances that the Respondent has intentionally sought to take unfair advantage of or otherwise abuse the Trademarks which are identically included in the Domain Names, with the mere addition of the letter "e", and a hyphen in the Domain Name <e-enpal.com>.

Furthermore, the Respondent's concealment of its identity through a privacy shield and seemingly use of false contact details in the Domain Names registration details, as claimed by a third party who received the Center's written communication, further supports a finding of bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Regarding the Domain Names <e-enpal.com> and <eenpal.com>, the Panel finds that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its websites on which commercial content was displayed, by creating a likelihood of confusion with the Complainant's Trademarks. Furthermore, panels have held that the use of a domain name for illegitimate activity, such as impersonation in the present case, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Domain Names <e-enpal.com> and <eenpal.com> constitute bad faith under the Policy.

Lastly, panels have found that the non-use of a domain name, including a passive holding page, would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the composition of the Domain Name <eenpal.support>, and the prior use of two other Domain Names, and finds that in the circumstances of this case the current passive holding of the Domain Names does not prevent a finding of 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 Domain Names <e-enpal.com>, <eenpal.com> and <eenpal.support> be transferred to the Complainant.

*/Gregor Vos/*

**Gregor Vos**

Sole Panelist

Date: December 19, 2025