

## **ADMINISTRATIVE PANEL DECISION**

Porcelanosa, S.A. v. Peter Matthew, The Webcor Co  
Case No. D2025-4509

### **1. The Parties**

The Complainant is Porcelanosa, S.A., Spain, represented by Elzaburu SLP, Spain.

The Respondent is Peter Matthew, The Webcor Co, United States of America ("United States").

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

The disputed domain name <porcelanosa-us.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 31, 2025. On October 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 1, 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 (Domain Admin, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 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 amended Complaint on November 3, 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 November 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 27, 2025.

The Center appointed Alvaro Loureiro Oliveira as the sole panelist in this matter on December 4, 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, the Spanish company Porcelanosa SA, has provided extensive evidence of its trademark portfolio, including longstanding registrations for PORCELANOSA in the European Union, the United States, the United Kingdom, and many other jurisdictions, inter alia, International Registration No. 518209 for PORCELANOSA (device mark), registered on January 4, 1988. The Complainant provides ceramic tiles and coverings for kitchen and bathroom furniture, taps, sanitaryware, building materials, and technical solutions.

The Complainant owns domain names <porcelanosa.es>, and <porcelanosa.com>.

The disputed domain name was registered on March 20, 2025. According to the Complaint, the disputed domain name redirects to the Complainant's website "www.porcelanosa.com".

#### **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.

The disputed domain name bears the famous trademark PORCELANOSA, associated with the abbreviation "us", which is short for the United States. This expression does not negate the confusing similarity between the disputed domain name and the Complainant's trademark. On the contrary, it leads to confusion, given the presence of the Complainant's mark.

The Complainant claims not to have any relationship with the Respondent and has never given the Respondent permission to use its mark or to apply any kind of domain name incorporating this mark.

The disputed domain name was registered and is being used in bad faith, particularly to attract consumers for commercial gain by creating a false impression of affiliation with the Complainant.

In sum, the Complainant alleges that the registration and use of the disputed domain names is intentional to mislead Internet users, that it is clear that the Respondent has no rights or legitimate interests in the disputed domain names, and that the disputed domain name was registered and is being used in bad faith.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

The Policy, in its paragraph 4(a), determines that three elements must be present and duly proven by a complainant to obtain relief. These elements are:

- i. the disputed domain name is 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 to the disputed domain name; and
- iii. the disputed domain name has been registered and is being used 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 disputed domain name is, indeed, confusingly similar to the PORCELANOSA trademark, as it is entirely incorporated in the disputed domain name.

The Complainant has presented consistent evidence of ownership of trademark PORCELANOSA in jurisdictions throughout the world, by presenting a substantial number of registrations for them, as well as comprehensive evidence of the use of the trademarks.

The Complainant has demonstrated clear rights in the trademark PORCELANOSA. The disputed domain name wholly incorporates the Complainant's mark and merely adds the term "-us", along with the ".com" generic Top-Level Domain ("gTLD"). Although the addition of other terms here, "-us", 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.

Hence the Panel therefore finds that the first element of paragraph 4(a) of the Policy is satisfied.

#### **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.

The Complainant confirms that it has not authorized the Respondent to use its mark, and nothing in the record indicates that the Respondent is commonly known by the disputed domain name. The Respondent has made no attempt to rebut the Complainant's assertions.

The Panel finds that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1. The disputed domain name redirects to the Complainant's website, which cannot confer rights or legitimate interests on the Respondent.

Given the absence of any contrary evidence, the Panel determines that the Respondent lacks any rights or legitimate interest in the disputed domain name.

### **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.

The Complainant asserts, and the annexed documentation supports, that its mark is distinctive and widely recognized in the building materials industry. In the present case, the evidence clearly points to a deliberate effort by the Respondent to exploit the Complainant's reputation. The geographic suffix "-us" reinforces the impression that the disputed domain name is affiliated to the Complainant. Therefore, the Panel finds that the disputed domain name was registered in bad faith.

Furthermore, the disputed domain name redirects to the Complainant's website. Such use constitutes bad faith under the Policy. [WIPO Overview 3.0](#), section 3.1.4.

The Respondent's silence further supports the inference of bad faith.

Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith under paragraph 4(a)(iii).

### **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 <porcelanosa-us.com> be transferred to the Complainant.

*/Alvaro Loureiro Oliveira/*

**Alvaro Loureiro Oliveira**

Sole Panelist

Date: December 18, 2025