

ADMINISTRATIVE PANEL DECISION

Naturgy Energy Group, S.A. v. Name Redacted
Case No. D2025-5116

1. The Parties

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

Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name is <naturgy-pdf-online.com> which is registered with Hetzner Online GmbH (the “Registrar”).

3. Procedural History

The Complaint was filed in Spanish with the WIPO Arbitration and Mediation Center (the “Center”) on December 9, 2025. On December 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 11, 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 those in the Complaint (REDACTED FOR PRIVACY). The Center sent an email communication to Complainant on December 11, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on December 16, 2025.

On the Complaint, Complainant noted that the registration agreement’s language was English, and requested the proceeding to be conducted in Spanish, providing several arguments to this end. On December 16, 2025, through its amended Complaint, Complainant confirmed its request that Spanish be the language of the proceeding. Respondent did not submit any comment on Complainant’s submission.

¹ Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted 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 disputed domain name, which includes the name of Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case.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 Respondent of the Complaint, and the proceedings commenced on December 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 6, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on January 14, 2026.

The Center appointed Gerardo Saavedra as the sole panelist in this matter on January 20, 2026. 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.

A third party sent an email communication to the Center on February 1, 2026, and submitted an additional email on February 5, 2026.²

4. Factual Background

Complainant, a Spain entity, is engaged in the energy sector.

Complainant has rights over the NATURGY mark for which it holds, among others, European Union registration No. 016692527, registered on November 10, 2017, in classes 4, 9, 11, 35, 37, 39, 40, and 42. Complainant also has rights over the NATURGY figurative mark for which it holds, among others, International registration No. 1460879, registered on December 10, 2018, in classes 4, 9, 11, 35, 37, 39, 40, and 42, and European Union registration No. 017931439, registered on August 10, 2020, in classes 4, 9, 11, 35, 37, 39, 40, and 42.

Complainant appears as the registrant of the domain names <naturgy.com> created on May 8, 2007, <naturgy.es> created on December 23, 2016, <naturgy.net> created on July 6, 2017, <naturgy.digital> created on July 6, 2017, and <naturgy.online> created on July 6, 2017, among others.

The disputed domain name was registered on June 30, 2025. By the time the Complaint was filed, the disputed domain name did not resolve to an active website, although the Internet browser displayed a warning message when access to it was attempted, showing, among others “Dangerous site Attackers on the site you tried to visit may be trying to trick you into installing software or providing information such as your passwords, phone, or credit card numbers. Chrome recommends that you return to a secure site”.³

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy and requests that the disputed domain name be transferred to Complainant. Complainant’s most relevant assertions may be summarized as follows.

²Due to these emails from a third party, the Panel extended the due date for this Decision.

³Message displayed in Spanish: “Sitio peligroso Es posible que los atacantes del sitio que has intentado visitar te engañen para que instales software o proporcionen información como tus contraseñas, tu teléfono o tus números de tarjeta de crédito. Chrome te recomienda que vuelvas a un sitio seguro”.

Complainant has more than 180 mark registrations that protect the NATURGY mark worldwide, and holds a number of domain names that include the NATURGY mark. As a result of the intensive and prolonged use of the NATURGY marks in the energy and related services sector, they enjoy a high degree of reputation and are recognized by the general public.

On September 10, 2025, Complainant sent a communication to the Registrar reporting the existence of prior rights held by Complainant and the reputation acquired by the NATURGY marks, and asked for the transfer of the disputed domain name, but no response was received.

Any user who encounters the disputed domain name will associate or confuse it with Complainant's online presence, since it incorporates Complainant's mark with the mere addition of the terms "pdf" and "online", which might be confused with Complainant's domain name <naturgy.online>, or may be understood as an online portal for Complainant's employees or as a secure platform for converting pdf documents.

No evidence has been found to suggest that Respondent owns any mark that would give him any rights over the terms that make up the disputed domain name, and there is no evidence that Respondent is known by the mark that characterizes the disputed domain name. Prior to receiving notification of the Complaint, Respondent has not used the disputed domain name in connection with a good faith offer of goods or services; Respondent has not made a legitimate and noncommercial use of the disputed domain name.

The NATURGY marks acquired a high degree of public recognition and a renowned reputation well before the registration date of the disputed domain name. When Respondent registered the disputed domain name, he should have been aware of the existence of Complainant's marks and domain names. Since NATURGY enjoys a high degree of reputation, Respondent's good faith is inconceivable.

It is highly unlikely that the registration of the disputed domain name is the result of an independent creation by Respondent, or that Respondent proceeded to its registration and use without prior knowledge of the existence of Complainant, its notoriety, or its renown among the Spanish public in relation to energy services and related services. The "naturgy" term is a fanciful term, lacking any inherent meaning, thus it is not possible that Respondent had acquired the disputed domain name in good faith, motivated by the "generic" or "descriptive" qualities of NATURGY, but rather by its value as a mark.

The disputed domain name was registered primarily for the purpose of disrupting Complainant's business activities. The structure of the disputed domain name reveals that it was registered with the purpose of generating affiliation and association with Complainant, as well as diverting traffic from users looking for an online platform of Complainant with online resources (such as duplicates and digital invoices or pdf copies of a supply contract) or a secure internal platform for the employees of Complainant to convert documents to pdf format.

It is impossible to access the disputed domain name since when trying to access it Google Chrome generates a phishing alert that prevents users from accessing it. The blocking imposed by search engines on access to the content of the disputed domain name due to phishing and malware warnings reveals that Respondent has engaged in fraudulent activities under it. The fact that the disputed domain name has been included in a list of threats by a search engine such as Google Chrome is likely to affect the reputation of the NATURGY marks. Given Complainant's large market share and its importance in the Spanish energy sector, that would negatively affect a very large number of people who, alerted by said security warning and access block, might be discouraged from contracting services with Complainant, potentially believing that their billing data is not handled with adequate security and that Complainant has cybersecurity problems. Consequently, that must be deemed to be a bad faith use under the Policy.

B. Respondent

Respondent did not reply to Complainant's contentions. A third party listed as the Respondent in the registration details for the disputed domain name asserts that it never owned the disputed domain name.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to “decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

Pursuant to paragraph 11(a) of the Rules, the language of the administrative proceeding shall be the language of the registration agreement, unless the Parties agree otherwise, and subject to the Panel’s authority to decide otherwise, taking into account the circumstances of the case. According to the Registrar, the language of the registration agreement for the disputed domain name is English. The Complaint was filed in Spanish, and Complainant requested that the proceeding be conducted in Spanish, arguing that Complainant is headquartered in Spain, where it conducts a substantial portion of its business activities and where the NATURGY mark enjoys widespread recognition, and that the use of English as the language of the proceeding would cause an unjustified delay in resolving the case. Respondent did not respond to Complainant’s request regarding the language of the proceeding. The Center’s communications to the Parties were in both English and Spanish, and the Panel is proficient in both languages. A third party listed as the Respondent in the registration details for the disputed domain name sent email communications in English. In the absence of an agreement between the Parties on the language of the administrative proceeding, without prejudice to the acceptance by the Panel of the Complaint in Spanish, pursuant to paragraph 11(a) of the Rules, the language of this proceeding is English.

The lack of response from Respondent does not automatically result in a favorable decision for Complainant (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.3). The burden for Complainant, under paragraph 4(a) of the Policy, is to show: (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; (ii) that Respondent has no rights or legitimate interests in respect of 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

The Panel finds 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 NATURGY mark is reproduced within the disputed domain name, albeit followed by the characters “-pdf-online”. The Panel finds the mark is recognizable within the disputed domain name and that the addition of said characters 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](#), sections 1.7, 1.8, and 1.11.1).

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

B. Rights or Legitimate Interests

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).

Paragraph 4(c) of the Policy provides a list of circumstances in which Respondent may demonstrate rights or legitimate interests in the disputed domain name. There is no evidence in the case file of any of those, or of

any other circumstances giving rise to a possible right to or legitimate interest in the disputed domain name by Respondent.

The nature of the disputed domain name, reflecting Complainant's mark in its entirety (though with the addition of "-pdf-online"), carries a risk of implied affiliation since Internet users may mistakenly identify it as somewhat associated with Complainant ([WIPO Overview 3.0](#), section 2.5.1). The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name.⁴ Respondent has not rebutted 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.

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and Used 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).

Having reviewed the case file, the Panel finds that Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. Taking into consideration that the registration and use of Complainant's NATURGY mark preceded the creation of the disputed domain name, the recognition of said mark, and the composition of the disputed domain name, the Panel is of the view that Respondent deliberately targeted Complainant's mark at the time it registered the disputed domain name, which is indicative of bad faith.⁵

Although the disputed domain name does not resolve to an active website, it seems to the Panel that there is no basis in the case file to conceive a legitimate use of the disputed domain name by Respondent. Taking into consideration the distinctiveness and widespread use of Complainants' mark and the composition of the disputed domain name, the Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.⁶ Further, the fact that the disputed domain name has been flagged with a warning message generated by the Internet browser, makes the Panel consider that the disputed domain name might potentially have been used for fraudulent activities.⁷

In the Panel's view, the lack of response is also indicative that Respondent lacks arguments and evidence to support its holding of the disputed domain name.

Based on the available record, the Panel finds that Complainant has established the third element of the Policy.

⁴See *Casio Keisanki Kabushiki Kaisha (Casio Computer Co., Ltd.) v. Jongchan Kim*, WIPO Case No. [D2003-0400](#): "There is no evidence that the Complainant authorized the Respondent to register the disputed domain name or to use the CASIO trademark, with or without immaterial additions or variants. These circumstances are sufficient to constitute a prima facie showing by the Complainant of absence of rights or legitimate interest in the disputed domain name on the part of the Respondent".

⁵See *Intel Corporation v. The Pentium Group*, WIPO Case No. [D2009-0273](#): "incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith".

⁶See [WIPO Overview 3.0](#), section 3.3. See also *Ferrari S.p.A. v. Ms. Lee Joohee (or Joo-Hee)*, WIPO Case No. [D2003-0882](#): "Respondent has provided no evidence or suggestion of a possible legitimate use of the Domain Name. Thus, in the words of Telstra, it is not possible to conceive of any plausible actual or contemplated active use of the Domain Name by the Respondent that would not be illegitimate".

⁷See *AXA SA v. Privacy Service Provided by Withheld for Privacy ehf / Pizza Goeie*, WIPO Case No. [D2022-0901](#); and *Accenture Global Services Limited v. Edwin Santino*, WIPO Case No. [D2024-3027](#). See also [WIPO Overview 3.0](#), section 3.4.

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 <naturgy-pdf-online.com> be transferred to Complainant.

/Gerardo Saavedra/

Gerardo Saavedra

Sole Panelist

Date: February 6, 2026