ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Naturgy Energy Group, S.A v. Arun Sharma
Case No. D2025-5373

1. The Parties

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

The Respondent is Arun Sharma, India, self-represented.

2. The Domain Name and Registrar

The disputed domain name <naturegy.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 22, 2025. On December 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 23, 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 ("unknown") and contact information in the Complaint. The Center sent an email communication to the Complainant on December 26, 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 January 2, 2026.

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 January 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was January 28, 2026. The Response was filed with the Center on January 28, 2026.

The Center appointed Andrew D. S. Lothian as the sole panelist in this matter on February 2, 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.

The Complainant filed a supplemental filing on February 19, 2026. The Respondent filed a supplemental filing in answer to the Complainant's said filing on February 20, 2026.

4. Factual Background

The Complainant is a Spanish company operating in the energy sector under the trademark NATURGY, initially registered in Spain in 2017, and introduced to consumers in 2018. The Complainant's Naturgy brand is not limited to Spain and is present in 20 countries across all five continents.

The reputation and well-known nature of the Complainant's NATURGY mark has been recognized in previous cases under the Policy, in cases before the Spanish Patents and Trademarks Office, and in the Spanish Courts (evidence provided by the Complainant). In addition, the said mark has been recognized as having a substantial reputation by ANDEMA (the Association for the Defense of Trademarks) and Foro de Marcas Renombradas Españolas (the Forum of Spanish Reputed Trademarks) (evidence provided by the Complainant).

Independent third parties have ranked the NATURGY mark as follows (evidence provided by the Complainant):

Brand Finance – Spain 100 – Annual Report on the Most Valuable and Strongest Brands in Spain (ranking provided for every year however for present purposes, the Panel notes that the mark ranked at 16/100 in 2018, 13/100 in 2022, 15/100 in 2024, and 12/100 in 2025);[1]

BRANDZ – The 30 Most Valuable Brands in Spain", WPP Kantar, 2020, (7th most valuable brand in Spain);

The 100 Companies and 100 Leaders with the Best Reputation in Spain", Merco KPMG, 2020, (11th company with the best reputation in Spain); and

Best Spanish Brands, Interbrand, 2019, (17th).

The Complainant's activities regularly feature in widely circulated Spanish national newspapers and magazines (evidence provided by the Complainant).

The Complainant is the owner of a large global portfolio of around 180 trademarks for the NATURGY mark covering a wide variety of territories from Andorra to South Africa. For example, the Complainant is the owner of the following registered trademarks:

- European Union Registered Trademark Number 16692527 for the word mark NATURGY, registered on November 10, 2017, in Classes 4, 9, 11, 35, 37, 39, 40, and 42;

- International Registered Trademark Number 1395609 for the word mark NATURGY, registered on December 20, 2017, in Classes 4, 9, 11, 35, 37, 39, 40, and 42, designated in respect of multiple jurisdictions including India.

The Complainant also owns a variety of domain names containing the said mark, including for example, <naturgy.com>, registered on May 8, 2007; and <naturgy.es>, registered on December 23, 2016.

The disputed domain name was registered on November 9, 2025. The website associated with the disputed domain name is a "for sale" page on an aftermarket domain name sales website on which the disputed domain name is offered for sale for a "Buy Now" price of USD 8,800.

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[1] While referring to the 2025 score in its submissions, the Complainant neglected to provide the corresponding print in its documentary annexes. However, as the URL for the corresponding scores in other years was provided in said annexes, it was a straightforward matter for the Panel to ascertain that the 2025 score was correct, as expressed and cited by the Complainant, through visiting the suitably adjusted URL for the 2025 report, a publicly available source, in accordance with section 4.8 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1").

The Respondent states that it is a full-stack developer and domain name investor which registers “brandable domains” for its projects and acquires expired domain names for their descriptive and “brandable” qualities, solely for lawful resale or development. The Respondent notes that it acquired the disputed domain name through “www.expirednames.com”, which it says is a database of expired domain names, and via the Registrar, on the date of its said registration. The Respondent provides evidence indicating that a domain name or domain names corresponding to the disputed domain name have been registered previously across an 18-year period, albeit in the hands of one or more previous registrants unconnected to the Respondent. The present registration date of the disputed domain name reflects the Respondent’s registration rather than any original or prior registration date in that (as the Respondent acknowledges) if a domain name is not renewed, and is deleted, it becomes available for registration by a new registrant such as, here, the Respondent.

The Respondent submits with reference to a partial historic WhoIs search on “www.domaintools.com” that 18 years of historical records are available in respect of domain name(s) featuring the same textual string as the disputed domain name (noting that the Respondent does not produce the available records themselves). The 18 years of records said to be available span the period August 19, 2007 to November 11, 2025. The Respondent also produces an entry from “www.devpost.com” showing that a third party (potentially a registrant of a previously registered domain name corresponding to the disputed domain name) had created a project page for “Naturegy” in about 2015, which page also referenced such domain name under the invitation “Try it out”.

The Respondent produces exact match searches for “naturegy” and for the disputed domain name (both in quotation marks, thus forcing the search engine to ignore results from typographically similar names) using the search engine at “www.duck.com”, also known as “DuckDuckGo”. The searches appear to have been conducted from India in the English language (this presumably being detected automatically by the search engine from the Respondent’s Internet protocol address but also manually selectable on said engine itself via a dropdown menu). The Respondent also used a moderate “Safe search” setting. It is not known on what date the search was carried out as the Respondent only describes these as “recent”. As shown on the Respondent’s screenshot of the search for “naturegy”, this returned some nine results on the first page, none of which relate to the Complainant’s NATURGY mark. The search for the disputed domain name in quotation marks did not return any results.

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 incorporates its reputed NATURGY trademark(s), to which an additional letter “e” has been added in the sixth letter position, asserting that it is evident that the disputed domain name is confusingly similar to said mark and that the addition of a single letter, placed at the final part of the disputed domain name, is insufficient to dispel the overall feeling of similarity that arises during the comparison. The Complainant contends that the disputed domain name is a case of typosquatting.

The Complainant notes that the Respondent does not hold any rights in a trademark corresponding to the disputed domain name, and that it does not fulfill any of the criteria set out in paragraph 4(c) of the Policy, adding that the Complainant has not authorized, licensed or otherwise permitted the Respondent to register or use the disputed domain name nor any sign that is confusingly similar to the Complainant’s trademarks, and that the disputed domain name has been registered and is being used for commercial gain due to its being offered for sale at an amount that is more than the Respondent’s reasonable out-of- pocket expenses in relation to its acquisition. The Complainant adds that a simple search on “Google” for its trademark (screenshot evidence provided – search conducted from “España 28029, Madrid”) and likewise a similar search for the term “naturegy” (evidence not provided) shows only results linked to the Complainant and its business activity, making it implausible for the Respondent to argue that it is commonly known by the

disputed domain name. The Complainant also submits that no bona fide offering of goods has been made through the website hosted by the disputed domain name.

The Complainant notes that its NATURGY trademarks are well-known and were in force before the disputed domain name was registered, adding that the term has no meaning and is highly distinctive, with an outstanding reputation associated with a prominent company worldwide, raising a reasonable inference that the Respondent has engaged in a typosquatting practice, namely registering a disputed domain name that is confusingly similar to an earlier reputed trademark whose only difference is an additional letter, concealed in the final part. The Complainant says that this suggests that the Respondent registered the disputed domain name for its trademark value and not for a (non-existent) dictionary meaning. The Complainant adds that the high price asked for the disputed domain name is an indicator of opportunistic bad faith on the Respondent's part.

The Complainant argues that the fact that its trademark is incorporated in its entirety in the disputed domain name indicates that the disputed domain name was registered with bad faith intent to sell it to the trademark owner, noting that particularly where a domain name is identical or confusingly similar to a highly distinctive or reputed mark, panels under the Policy have tended to view with a degree of skepticism a respondent defense that the domain name was merely registered for legitimate speculation (based for example on any claimed dictionary meaning) as opposed to targeting a specific brand owner.

The Complainant asserts that it is hard to argue that the registration and use of the disputed domain name would not give rise to a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation or endorsement of the disputed domain name and goods and services potentially promoted thereby, that the disputed domain name has not been registered to capitalize on the Complainant's business and trademarks or to prevent the Complainant from reflecting its trademark in a corresponding domain name, and that the disputed domain name does not attempt to attract Internet users for commercial gain.

The Complainant argues that the mere existence of the disputed domain name conveys an impression of association with the Complainant, that it has the capacity to divert Internet traffic from the Complainant's website, and that the addition of a single character in the disputed domain name compared to the Complainant's mark is a typical typosquatting pattern.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Respondent contends that the disputed domain name is not a typographical variant of the Complainant's brand given that the disputed domain name has a longer history than the Complainant's brand and domain name.

The Respondent asserts that the disputed domain name was first registered in the 2000s by an entity unrelated to itself or the Complainant and produces a historical WhoIs record referencing the approximate original creation date of such previous domain name.

The Respondent says that the Complainant's mark NATURGY is different from the disputed domain name, which represents a conjunction of the terms "nature" plus "energy", noting that it is possible that the Complainant's branding may have been influenced or derived from the public use in 2015 of the disputed domain name. The Respondent submits that the disputed domain name was used independently in commerce prior to the registration of the Complainant's mark, namely that a software project employed the name "Naturegy" in 2015 on "Devpost" (providing a link to a corresponding URL). The Respondent also asserts that domain names combining "nature" and "energy" or similar terms are commonly registered and offered for sale, which it says demonstrates that descriptive domain registration does not, by itself, constitute bad faith.

The Respondent states that at the point of its acquisition of the disputed domain name, it had no knowledge of the Complainant, its rebranding, or trademark filings, adding that its decision was motivated purely by the domain name's generic, "brandable" qualities. The Respondent produces a search result for the disputed domain name and for "Naturegy" (inclusive of quotation marks) which it describes as recent "Exact-Match Search Results for "Naturegy" and "Naturegy.com" on Duck.com (aka DuckDuckGo), the world's most popular privacy first search engine".

The Respondent asserts that its intent has been lawful and neutral, in that it saw the disputed domain name as suitable for businesses in natural energy drinks, natural energy, organic products, green or clean energy, and wellness sectors, that it never attempted to operate a similar business to the Complainant, and that it listed the disputed domain name on an online marketplace which offers it on other platforms for legitimate buyers. The Respondent states that as a full-stack developer and "deep into tech", it relies on exact-match searches when evaluating domain names, adding that searching against the disputed domain name in quotation marks returned no results linking to the Complainant. The Respondent contends that this demonstrates that there was no intent to target or trade on the Complainant's goodwill.

The Respondent expands upon its proposition that the disputed domain name and the name "Naturegy" had been used by developers in 2015 to offer an innovative energy management service to help consumers better manage their home appliances and utilities manage loads on the grid system, providing a historic screenshot of the corresponding project which the Respondent asserts demonstrates independent, non-infringing use of the term "Naturegy" by an unrelated entity predating the Complainant's brand. The Respondent contrasts this use of the term with the appearance of the Complainant's brand in 2018, asserting that the Complainant has no claims on "Naturegy" or the disputed domain name.

The Respondent asserts that there is no evidence of bad faith in terms of paragraph 4(a)(iii) of the Policy, contending that it did not register the disputed domain name to sell it to the Complainant or a competitor, that it did not contact the Complainant, that it did not create content or operate a website to mislead users, and that it did not engage in a pattern of registering domains targeting the Complainant. The Respondent concludes that it would consider a reasonable commercial settlement while maintaining that it has acquired and held the disputed domain name in good faith.

6. Discussion and Findings

6.1. Procedural Issue: Parties' Supplemental Filings

Paragraph 12 of the Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case. Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel. WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("WIPO Overview 3.1"), section 4.6.

Panels have sole discretion, under paragraphs 10 and 12 of the Rules, whether to accept an unsolicited supplemental filing from either party, bearing in mind the need for procedural efficiency, and the obligation to treat each party with equality and ensure that each party has a fair opportunity to present its case. The party submitting a supplemental filing would normally need to show its relevance to the case and explain why it was unable to provide that information in the complaint or response (for example, owing to some exceptional circumstance).

As noted above, the Complainant filed a supplemental filing on February 19, 2026, which the Respondent sought to answer by way of its own supplemental filing, filed on February 20, 2026. These filings came three days and four days respectively after the due date for the Decision to be returned to the Center. The Complainant's filing sought to respond to certain aspects of the Response, which itself had been filed with the Center on January 28, 2026. In other words, the Complainant took over three weeks to address matters arising in the Response.

The Complainant's supplemental filing was therefore submitted at an exceptionally late stage, and the Panel reminds itself that it remains bound in terms of paragraph 10(c) of the Rules to ensure that the administrative proceeding is conducted with due expedition.

In all of these circumstances, the Panel exercises its discretion to reject the Complainant's supplemental filing. It follows that there is no basis to admit the Respondent's supplemental filing, which is expressed as being tendered solely in reply to that of the Complainant.

6.2. Substantive Issues

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 3.1, section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

While the UDRP makes no specific reference to the date on which the holder of the trademark acquired its rights, such rights must be in existence at the time the complaint is filed. WIPO Overview 3.1, section 1.1.3. Consequently, even if the disputed domain name had a history predating the Complainant's mark (which the Respondent asserts here) this is not relevant for the purposes of the first element assessment. In any event, the disputed domain name is the subject of a recent registration, and it does not have an 18-year history in the Respondent's hands, even if a corresponding domain name was previously held by one or more registrants unconnected to the Respondent.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms, here, the interspersion of the letter "e", 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 3.1, section 1.8.

The alleged history of previously registered domain name(s) corresponding to the disputed domain name, as discussed by the Respondent, will be explored to a greater extent in the second and third element assessments below. For present purposes, the assessment on identity or confusing similarity proceeds on an objective side-by-side comparison of the disputed domain name and the cited trademark. When making this comparison, the Panel finds that the disputed domain name consists of a common or obvious misspelling of the Complainant's trademark as it contains an interspersion of the letter "e" in such mark, which otherwise remains recognizable within the disputed domain name.

A domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. Examples of such typographical variants include the addition or interspersion of other terms or numbers. WIPO Overview 3.1, section 1.9.

The applicable Top-Level Domain ("TLD") in a domain name (here ".com"), is viewed as a standard registration requirement and as such may be disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.
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 3.1, 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 based upon its assertions that the Respondent does not hold any rights in a corresponding trademark, that it does not fulfill any of the criteria set out in paragraph 4(c) of the Policy, that it has not been authorized, licensed or otherwise permitted to register or use the disputed domain name by the Complainant, that the disputed domain name is being offered for sale at an amount that is likely more than the Respondent's reasonable out-of-pocket expenses in relation to its acquisition, and that no bona fide offering of goods or services has been made through the website hosted by the disputed domain name. It is also relevant to the second element assessment that the Complainant has provided ample evidence to show that its NATURGY trademark(s) are well-known, having a substantial global coverage, including in India where the Respondent is based, and were in force before the disputed domain name was registered by the Respondent.

The Panel turns to the Respondent's case in rebuttal. The essence of the Respondent's case is that it is a domain name investor and is entitled to register the disputed domain name for onward sale to interested parties on the basis that it represents a generic, "brandable" term consisting of a combination of the words "nature" and "energy". In support of this proposition, the Respondent points out that domain name(s) corresponding to the disputed domain name were previously registered by one or more third parties and were used by them in connection with the development of energy management software in 2015, before the registration of the Complainant's trademarks.

The starting point for the Panel here is that aggregating and holding domain names (usually for resale) consisting e.g., of acronyms, dictionary words, common phrases, or unique/catchy or memorable terms (alone or in combination) can be bona fide and is not per se illegitimate under the UDRP where the respondent can show that the purpose of the registration was not to target a trademark. WIPO Overview 3.1, section 2.1. However, panels have held that merely registering a domain name comprised of a dictionary word or phrase would not by itself automatically confer rights or legitimate interests on the respondent. Mere arguments that a domain name corresponds to a dictionary term/phrase or acronym, or unique/catchy or memorable term (sometimes referred to by respondents as "brandable") may not be sufficient, and panels will consider the overall facts and circumstances of the case when assessing such arguments. Where there are indications that a respondent is targeting a complainant (as is typically considered under the third element), this would undermine any claim to a right or legitimate interest. Panels also tend to look at factors such as the status and fame of the relevant mark and whether the respondent has registered and legitimately used other domain names containing dictionary words or phrases in connection with the respective dictionary meaning. As long as the disputed domain name is being used in a way that does not trade off the complainant's trademark, and where there are no other indicia of cybersquatting, such use may support the respondent's claim to a right or legitimate interest. WIPO Overview 3.1, section 2.10.1. For a respondent to have rights or legitimate interests, in particular for a domain name comprising an acronym, the respondent's evidence supporting its explanation for its registration (and any use) of the domain name should indicate a credible intent which does not capitalize on the reputation and goodwill inherent in the complainant's mark. WIPO Overview 3.1, section 2.10.2.

An obvious problem for the Respondent's case immediately presents itself, namely that the term "naturegy" is not an acronym, dictionary word, or common phrase. The Respondent's principal argument on this topic is that the term predates the Complainant's marks because it was already in use by a third party at some point in the past. This does not mean that it is an acronym, dictionary word, or common phrase. It also does not mean that the Respondent would automatically derive rights and legitimate interests in Policy terms from any previous use of the term in a domain name by an independent third party, even if that third party might (hypothetically) have been able to establish rights and legitimate interests under the Policy.

The Panel is not looking here at the rights or legitimate interests of any third party that might formerly have registered and used a domain name corresponding to the disputed domain name. The Panel is assessing whether the Respondent itself possesses any such rights and legitimate interests. Crucially, the Respondent's own registration and its use of the disputed domain name do not predate the coming into being of the Complainant's marks, and indeed, they post-date this to such an extent that the evidence before the Panel demonstrates that the Complainant's marks were already well-known and had established a substantial reputation by the date of the disputed domain name's registration by the Respondent. In those circumstances, the fact that there might have been a previously registered domain name identical to today's disputed domain name in the past (even if legitimately held at the material time) does not avail the Respondent, a person unaffiliated to such previous registrant.

The Panel therefore returns to the Respondent's argument that it has registered a generic, "brandable" term for resale. The Respondent does not explain what it means by "brandable" in its submissions other than that it says that it acquires expired domain names for their descriptive and "brandable" qualities. The problem for the Respondent here is that "naturegy" is not descriptive of anything. The letters "gy" or "egy" are not a recognized abbreviation for the word "energy". As far as the Respondent's concept of a "brandable" term is concerned, in the absence of any explanation of what "brandable" might mean from the Respondent's perspective, the Panel assumes that it refers to a domain name containing a unique, memorable term which may be perceived by potential purchasers as attractive from a branding perspective. The problem for the Respondent's case, however, is that the registration and sale of such a domain name could only be regarded as establishing rights and legitimate interests for Policy purposes provided that the alleged "brandable" term does not cut across existing trademark rights.

As to that question, this case is not without nuance, in that the alleged term is not an exact match for the Complainant's well-known trademark, but is a typographical variation, which might in and of itself have hinted at a potential lack of targeting. However, in such a nuanced case, the Panel must not only consider the allegedly "brandable" term, but must also pay particularly close attention to the status and fame of the relevant mark, as discussed above, along with how far apart the typographical variance places the disputed domain name from such mark. Here, the allegedly "brandable" term is almost identical to a well-known trademark with a substantial reputation and, furthermore, is an obvious misspelling of it, in the sense that it intersperses the most predictable vowel which renders the "natur" element as "nature". The said mark's status and fame is substantial and, on the present record, undeniable. It is registered and the Complainant is present in the Respondent's own jurisdiction. It is not a dictionary word or a common phrase. WIPO Overview 3.1, section 2.10.

In the Panel's opinion, the Respondent's registration and placing of the disputed domain name for sale cannot confer rights and legitimate interests upon the Respondent within the meaning of the Policy in all the circumstances of this case. The Panel underscores for completeness that the fact that a third party might have used such a term legitimately in the past and before the Complainant's rights came into being does not affect the Panel's analysis. The Respondent would not inherit any rights or legitimate interests from any such third party merely by registering a domain name that is identical to the one that the third party formerly held. Nevertheless, the case is not without nuance because the existence of the alleged portmanteau preceding the coming into force of the Complainant's mark (albeit in third party hands) might on one view be considered to signal a legitimate co-existence between it and the subsequently registered and (subtly) varied trademark. However, again, what marks this case out for the Panel is what has changed since the portmanteau was coined, and presumably abandoned by such third party, namely, the substantial status and fame of the Complainant's mark built in the intervening years, and its registration in the Respondent's jurisdiction, with such fame being established long before the registration of the disputed domain name by the Respondent.

Furthermore, it must be added that a respondent claiming a right or legitimate interest in a domain name based on past good-faith use (thus demonstrating merely a past right or legitimate interest) would not necessarily have rights or legitimate interests in the domain name, at the time a decision is rendered. Although the historical use of a domain name may be relevant to assessing the parties' claims, panels tend to assess claimed respondent rights or legitimate interests at the time of the filing of the complaint. WIPO Overview 3.1, section 2.11.

In all of these circumstances, the Panel finds that the Respondent has failed to rebut the Complainant's prima facie case that it has no rights or legitimate interests in the disputed domain name.

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. Additionally, other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.1, section 3.2.1.

In the present case, the Panel notes that the Respondent has registered a domain name that is confusingly similar to the Complainant's well-known NATURGY trademark and has offered this for sale on an aftermarket website. In so doing, it has not made any direct approach to the Complainant to discuss the prospect of selling the disputed domain name to it.

Generally speaking, panels have found that the practice as such of registering a domain name for subsequent resale (including for a profit) would not by itself support a claim that the respondent registered the domain name in bad faith with the primary purpose of selling it to a trademark owner (or its competitor). Circumstances indicating that a domain name was registered for the bad-faith purpose of selling it to a trademark owner can be highly fact-specific; the nature of the domain name (e.g., whether a typo of a famous mark, a domain name wholly incorporating the relevant mark plus a geographic term or one related to the complainant's area of commercial activity, or a pure dictionary term) and the distinctiveness of trademark at issue, among other factors, are relevant to this inquiry. WIPO Overview 3.1, section 3.1.1.

Here, the Panel has already found that the disputed domain name is a typographical variant of (and confusingly similar to) a highly distinctive and well-known mark that is in force in many territories globally, including the one where the Respondent is based. In such circumstances, panels have tended to view with a degree of skepticism a respondent defense that the domain name was merely registered for legitimate speculation (based for example on any claimed dictionary meaning) as opposed to targeting a specific brand owner. WIPO Overview 3.1, section 3.1.1. That is, broadly speaking, the nature of the defense that is put forward here.

The Respondent argues that at the point of its acquisition of the disputed domain name, it had no knowledge of the Complainant, its 2018 rebranding to the NATURGY mark, or its NATURGY trademarks, adding that the Respondent's decision was motivated purely by the domain name's generic, "brandable" qualities. The Respondent adds that a previous use of the term in the disputed domain name had been made in 2015 by a third party, before the appearance of the Complainant's brand in 2018, which it says demonstrates independent, non-infringing use of the term "Naturegy". However, this submission proceeds on the basis of a misunderstanding of the Policy.

The assessment of registration in bad faith under paragraph 4(a)(iii) of the Policy is based on the date of the Respondent's registration of the disputed domain name and the circumstances prevailing at that time, rather than on any prior history of a corresponding (but now expired) domain name previously registered and used by an unrelated third party. The rationale for this approach is straightforward. If a respondent were permitted to rely upon an earlier good faith registration by an unconnected party this would effectively grant all subsequent registrants, including registrants in bad faith, a "free pass", and would enable them to cloak any bad faith conduct in the guise of the prior registrant's legitimate and good faith use. Such an outcome

would defeat the Policy's purpose of preventing cybersquatting. Thus, the Respondent here would not generally be able to rely upon any past use of the term "Naturegy" by an unrelated third party in 2015, even if legitimate, and even if such use predated the coming into being of the Complainant's trademark rights.

However, the matter is not entirely clear cut here, the nuance being that a third party did come up with an identical portmanteau in the formerly registered domain name, on a hypothetically legitimate basis given that this predated the Complainant's mark, and the Panel must address the Respondent's assertion of these facts. On one view, such prior existence of the term might indicate that it is capable of legitimate meanings and uses, and that a present-day registrant might similarly coin the term independently of the Complainant's mark. However, it might perhaps be more accurate to say that the term was, at the time when the third party held it, potentially capable of a legitimate meaning and use in the hands of such third party. The third party's registration and use of the corresponding domain name predated the registration of the Complainant's well-known mark and the building of its substantial reputation in a confusingly similar term. Where a term is not a dictionary phrase, such an apparently legitimate third-party historic use in a formerly registered domain name would not in and of itself confer legitimacy upon any subsequent registrant of the same term purely because when originally coined the term predated the Complainant's mark. Notably, to the Panel's mind, this cannot by itself legitimize the Respondent's selection of a disputed domain name which is confusingly similar to a long predating well-known and distinctive mark (judged at the point of registration of the disputed domain name).

It must not be overlooked that the Respondent does not itself state that it was aware of any such alleged prior use of the corresponding term before it registered the disputed domain name, only that such use existed. This leaves the door open to the possibility that the Respondent has "reverse engineered" its reason for selection of the disputed domain name in the face of the Complainant's pre-existing and substantial rights, something that any registrant in bad faith might do simply by conducting a search on historical uses for a domain name that predate a complainant's mark. To underline the point: by the date when the disputed domain name was registered by the Respondent, the Complainant's mark was well-established, prominent and extremely well-known, and was also registered in the Respondent's jurisdiction, as the Complainant's evidence amply illustrates. The nuance is that the Respondent might have coined a confusingly similar term independently, as apparently did the previous registrant of the corresponding domain name, but the question for the Panel is whether this is more likely than not what happened, and whether the Complainant's mark was or should have been in the Respondent's mind in all the circumstances of the case.

On this topic, WIPO Overview 3.1, section 3.2.2 has this to say: "[…] in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of [domain name investors]), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be […] confusingly similar to a complainant's mark". Given that, in the present case, the Complainant's mark is widely known, and indeed is registered in the Respondent's jurisdiction, it is open to the Panel to make such an inference. The Respondent's assertion that it was unaware of the Complainant's mark appears to hang exclusively upon the nature of the Respondent's screening search, described as an "exact match" search on "www.duck.com" (also known as "DuckDuckGo") for the term "naturegy". According to the Respondent, this is the type of search which is its normal practice to conduct when evaluating domain names for acquisition and subsequent sale.

The Panel notes in passing that panels under the Policy have found that respondents who (deliberately) fail to search and/or screen registrations against available online databases would be responsible for any resulting abusive registrations under the concept of willful blindness; depending on the facts and circumstances of a case, this concept has been applied irrespective of whether the registrant is a professional domain name investor. WIPO Overview 3.1, section 3.2.3.

The Respondent here shows that its exact match search on "naturegy", performed from India, does not give rise to any entries related to the Complainant. The Panel must, however, ask itself whether this amounts to sufficient screening of the registration against available online databases. The Panel reminds itself that it is appropriate to apply a degree of skepticism to the defense that the domain name was merely registered for legitimate speculation when it is a typographical variant of a well-known mark. In particular, the Panel is

faced with an obvious question as to why the Respondent might choose to perform an exact match search for the term in the disputed domain name, restricted to its own jurisdiction. The Panel assumes that the Respondent's intention was to make the disputed domain name available for general sale, not exclusively to potential purchasers in the Respondent's jurisdiction.

The Respondent's restricted search would probably disclose uses identical to the precise string of the domain name in India,[2] and would not show up, for example, confusingly similar trademarks even if such marks were well-known and/or of a substantial, or even global, reputation. The Panel must ask itself whether the Respondent's "usual practice" should therefore be regarded as constituting searching and screening of the kind anticipated by the WIPO Overview 3.1, section 3.2.3. The Panel cannot overlook the possibility that such a restricted search is being put forward here because it intentionally reverse-engineers out the Complainant's mark from any search results. By contrast, a more typical unrestricted search on the term "naturegy" without quotes, i.e., not the Complainant's mark but still searching against the term in the disputed domain name, might disclose the well-known mark of the Complainant. This is due to the strong reputation of the Complainant's mark whereby it would be returned even against searches for typographical variants such as the term in the disputed domain name. Likewise, the Complainant's registered mark might be disclosed in trademark databases which allow similar marks to be returned. Where then does this leave the Respondent's search? The Panel's opinion is that the strength and reputation of the Complainant's mark has a substantial impact upon both the credibility of the Respondent's position regarding its alleged lack of knowledge and on the adequacy of its claimed screening processes. The Panel finds that in describing an "exact match" search restricted to its jurisdiction, the Respondent is more probably than not being willfully blind to likely trademark rights.

As indicated above, there is a more obvious and far more comprehensive general or typical search available to domain name investors, such as the Respondent, for screening purposes. This can be achieved on the same search engine that the Respondent allegedly used by removing the quotations from the word "naturegy", so as to allow similar and related terms to be returned. In that example, even where the search is manually restricted to the Respondent's jurisdiction rather than an "all regions" search, all of the first page results and all of the next two "More Results" pages, at which point the Panel stopped searching, refer to the Complainant's mark.[3] The Panel again asks itself why the Respondent would not conduct the more general search, given that it apparently knew that a search was warranted, or at least why it did not perform both types of search, and evidence these to the Panel. The Panel also asks itself why the Respondent, operating in a potentially global secondary domain name marketplace, allowed its search results to be restricted to its own jurisdiction. One possibility which could apply to either or both of those self-imposed restrictions would be that the Respondent knew that this would disclose the Complainant's mark, and that the "exact match" local search effectively reverse-engineers such mark out of the search results.

The Respondent's decision to apply the quotation marks to the chosen search term in a local search, restricting the corresponding results, is a positive act. Its apparent failure to search on a more straightforward and simpler basis (that may well have disclosed the Complainant's mark here) illustrates to

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[2] This assumes that the Panel accepts the Respondent's country-restricted search as shown in its documentary annexes, noting that it is possible on the same search engine to perform an unrestricted "all regions" search by manual selection of that option. The Panel must ask itself why the Respondent would not do this when the option is available.

[3] The Panel conducted this search on February 6, 2026, on the "www.duck.com" search engine, applying the Respondent's criteria (including selecting the location of India, by the manual drop down menu) with the exception of the exact match requirement. With reference to the Panel conducting independent research of publicly available sources, see the WIPO Overview 3.1, section 4.8. The Panel determined that it was unnecessary to put the results of its research to the Parties in this case. First, the Complainant had already referenced general searches in the Complaint, albeit that it had failed to supply the copy of the search for the term in the disputed domain name and had inadvertently included a search for its own mark twice. Secondly, the Response shows that the Respondent itself selected and is clearly familiar with the search engine concerned, and is fully aware of the distinction between an "exact match" search using quotation marks around the search term and a more general search without quotation marks, such as was performed by the Panel. What matters here, however, is not so much the actual results of the Panel's own search (and whether these might be influenced by the searcher's location, its previous searches or any other criteria) but rather that this illustrates the fact that the screening search allegedly carried out by the Respondent is too narrow to avoid a finding of willful blindness and may, on balance of probabilities, be the result of reverse-engineering to avoid disclosure of a well-known mark that is otherwise likely to be highly prominent in search engine results.

the Panel's satisfaction that the Respondent was deliberately turning a blind eye to the confusing similarity between the disputed domain name and the Complainant's prominent and well-known mark, something of which it was more probably than not already aware, or at least should have been aware. An intentionally narrow screening search that fails to find a mark as prominent as that of the Complainant is no better than not searching at all, and, as outlined above, such a choice of screening search raises unanswered questions about the genuineness of the Respondent's position regarding its registration and use of the disputed domain name, even acknowledging that the corresponding "naturegy" term was at one time coined by an independent third party before the Complainant's rights came into being. In all of these circumstances, while acknowledging that this case is not typical and is a more nuanced "close call", the Panel finds that the Respondent is "responsible for any resulting abusive registration(s)". WIPO Overview 3.1, section 3.2.3. It follows that the disputed domain name was registered in bad faith and that, in the circumstances of this case, namely the fact that it was immediately offered for sale at an amount likely exceeding the Respondent's out-of-pocket costs incurred in its registration, the Panel finds it was also 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 <naturegy.com> be transferred to the Complainant.

/Andrew D. S. Lothian/
Andrew D. S. Lothian
Sole Panelist
Date: February 16, 2026