

## **ADMINISTRATIVE PANEL DECISION**

Naturgy Energy Group, S.A. v. Miyynd Company, Miyynd  
Case No. D2026-0108

### **1. The Parties**

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

The Respondent is Miyynd Company, Miyynd, Brazil.

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

The disputed domain name <naturgy.club> (the “Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 12, 2026. On January 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 12, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 13, 2026, 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 15, 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 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 6, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on February 9, 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 to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is a Spanish multinational natural gas and electrical energy utilities company.

The Complainant owns more than 180 trademark registrations for NATURGY worldwide, e.g., European Union Trade Mark No. 017931439 (registered August 10, 2020) and Brazilian trademark No. 916385981 (registered September 17, 2019). The Complainant's trademark is recognized in Brand Finance as the 12th most valuable brand in Spain in 2025. The trademark is present in newspapers and magazines.

The Domain Name was registered on September 14, 2025. The Complainant documents that the Domain Name had resolved to a website used to impersonate the Complainant's online presence and to mislead Internet users by offering the same services as the Complainant. At the time of the Decision, the Domain Name resolved to an error page.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant provides evidence of trademark registrations and argues that its trademark has a wide recognition. The Domain Name reproduces the Complainant's trademark in its entirety, with the Top-Level-Domain ("TLD") "club".

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant has not authorized the Respondent to use its trademarks. The mere registration of the Domain Name does not establish rights or legitimate interests for the Respondent.

The Complainant argues that its trademark is well known and was in use when the Respondent registered the Domain Name. The Domain Name has been used primarily for creating a false impression of affiliation with the Complainant, with the purpose of disrupting the Complainant's business and unfairly taking advantage of it. Moreover, the Respondent has failed to respond to the Complainant's cease and desist letter. The Domain Name no longer resolves to active content. However, the removal of the content does not prevent a finding of bad faith, nor does it cure the Respondent's prior conduct. On the contrary, it further highlights the necessity to prevent future reactivation of the Domain Name for similar illegitimate purposes.

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

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

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

##### **A. Identical or Confusingly Similar**

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the Domain Name. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has established that it has rights in the trademark NATURGY. The Domain Name is identical to the Complainant's trademark. For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel ignores the TLD; see [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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. While 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 often impossible 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Domain Name. The Respondent has not rebutted the Complainant's showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name. Based on the record, the Respondent is not affiliated or related to the Complainant. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name in connection with a bona fide offering of goods or services. Furthermore, the Panel finds that the nature of the Domain Name, which is identical to the Complainant's trademark, carries a high risk of implied affiliation and its use cannot be considered fair as it falsely suggests affiliation. [WIPO Overview 3.0](#), section 2.5.1.

Based on the available record, 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.

The fact that the Domain Name is identical to the Complainant's priorly registered trademark, and the use of the Domain Name, makes it clear that the Respondent was aware of the Complainant when the Respondent registered the Domain Name. Based on the available record, it appears that the Respondent intended to create a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement. The Domain Name was used to host an impersonating website, which constitutes bad faith use. [WIPO Overview 3.0](#), section 3.4. The current non-use of the Domain Name does not prevent a finding of bad faith under the doctrine of passive holding. The Complainant is known in the energy industry, and the Respondent has not provided any evidence of actual or contemplated good-faith use. As mentioned above, it appears implausible that the Respondent may put the Domain Name into any good faith use, because of the Complainant's prior rights.

For the reasons set out above, the Panel concludes that the Domain Name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy. The third element of the Policy has been established.

## 7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders the Domain Name <naturgy.club> transferred to the Complainant.

*/Mathias Lilleengen/*

**Mathias Lilleengen**

Sole Panelist

Date: February 13, 2026