

## **ADMINISTRATIVE PANEL DECISION**

Kingspan Holdings (IRL) Limited v. Murilo Henrique  
Case No. D2026-1071

### **1. The Parties**

The Complainant is Kingspan Holdings (IRL) Limited, Ireland, represented by Tomkins & Co., Ireland.

The Respondent is Murilo Henrique, Brazil.

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

The disputed domain name <isoestekingspan.com> (the “Disputed 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 March 12, 2026. On March 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 12, 2026, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 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 March 18, 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 March 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 14, 2026.

The Center appointed Douglas M. Isenberg as the sole panelist in this matter on April 22, 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.

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

The Complainant states that it is a part of the Kingspan Group, which is “a world-famous building materials company founded in 1966 and based in the Republic of Ireland” that “trades in over 80 countries with more than 210 factories employing over 22,000 people”. The Complainant further states that “[i]n September 2017, the Kingspan Group acquired a controlling 51% interest<sup>1</sup> in the Brazilian company Isoeste Construtivos Isotérmicos S.A. (‘Isoeste’), a leading Brazilian manufacturer of insulated panels and thermal building systems headquartered in Anápolis, Brazil”. The Complainant states that it uses the domain name <kingspan.com> and that its subsidiary uses the domain name <kingspan-isoeste.com.br>.

The Complainant states, and provides documentation in support thereof, that it is “the proprietor of numerous KINGSPAN-incorporating Trade Mark registrations”, including Brazil Reg. No. 840572280 for KINGSPAN (registered April 5, 2016), for use in connection with, inter alia, photovoltaic solar modules; United States of America Reg. No. 6760583 for KINGSPAN (registered June 14, 2022), for use in connection with, inter alia, “plastic and non-metallic containers and bunkers for storage purposes other than for household or kitchen use”; and International Reg. No. 1055716 for KINGSPAN (registered June 11, 2010) for use in connection with, inter alia, “equipment and apparatus for regenerative energy production”. These registrations are referred to herein as the “KINGSPAN Trademark”.

The Complainant also states that it is the owner of a number of registrations for trademarks that include the word “Isoeste”, including Brazil Reg. Nos. 928978443 for POWERPANEL BY KINGSPAN ISOESTE (registered May 14, 2024), for use in connection with, inter alia, “solar collectors and solar panels for electricity generation”; and 928978508 for POWERPANEL BY KINGSPAN ISOESTE (registered May 14, 2024) for use in connection with, inter alia, “solar collectors for heating and for cooling”. The Complainant’s subsidiary also owns a number of registrations for ISOESTE including Brazil Reg. No. 825872219 for ISOESTE (registered March 10, 2009). These registrations are referred to herein as the “ISOESTE Trademark”.

The Disputed Domain Name was created on February 3, 2026. According to the Complaint, and as supported by documentation provided therein, the Disputed Domain Name is used in connection with “a fraudulent copycat website” that “prominently displays copies of the Complainant’s registered KINGSPAN word mark and logo, as well as copies of the registered ISOESTE logo”. The Complainant states that “[p]arts of the website appear to have been generated using artificial intelligence, and the hyperlinks contained on the home page are inactive” and “[i]t is clear that the infringing website has been copied from the Complainant’s official website”. The Complainant also states: “The Respondent’s website promotes the sale of the Complainant’s purported goods, which the Complainant respectfully submits forms part of a scheme to deceive users into purchasing counterfeit or non-existent products.”

#### **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 is identical or confusingly similar to the KINGSPAN Trademark because, inter alia, the KINGSPAN Trademark “is instantly recognisable within the disputed domain name” and “comprises half of the disputed domain name”; and inclusion of the ISOESTE Trademark in the Disputed Domain Name “only heightens the connection with” the KINGSPAN Trademark “and amplifies the likelihood of confusion with” the KINGSPAN Trademark.
- The Respondent has no rights or legitimate interests in the Disputed Domain Name because, inter alia, “[t]he confusing similarity between the disputed domain name and the Complainant’s marks, together with the clear mimicry of the Complainant’s website, is likely to mislead consumers into believing that the infringing website is operated by, or affiliated with, the Complainant, when this is not the case”; “Respondent is benefiting, whether directly or indirectly, from falsely associating itself with the Complainant”; “the Respondent registered the disputed domain name and operates the fraudulent website solely in order to misleadingly divert consumers away from the Complainant for the Respondent’s commercial gain”; and “the Complainant’s legal representatives have conducted online investigations and, at the time of filing this Complaint, and subsequently, there is no evidence to suggest that the Respondent (Murilo Henrique), or any third party, holds any rights in the disputed domain name”.
- The Disputed Domain Name was registered and is being used in bad faith because, inter alia, “the disputed domain name resolves to a copycat website designed to mimic the Complainant’s website, thereby fraudulently deceiving consumers into believing that the companies are the same or are connected in some legitimate way, when they are not”; “[b]y registering a confusingly similar domain name, the Respondent has made a deliberate and opportunistic attempt to create a likelihood of confusion with the Complainant’s trade marks”; and “[t]he Respondent’s use of the disputed domain name for the clear purpose of impersonating the Complainant’s offerings constitutes per se illegitimate activity that is manifestly considered evidence of bad-faith use”.

## **B. Respondent**

The Respondent did not reply to the Complainant’s contentions

## **6. Discussion and Findings**

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

Based upon the trademark registrations cited by the Complainant, it is apparent that the Complainant has rights in and to the KINGSPAN Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to the KINGSPAN Trademark, the relevant comparison to be made is with the Second-Level portion of the Disputed Domain Name only (i.e., “isoestekingspan”) because “[t]he applicable Top-Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘.club’, ‘.nyc’) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test”. WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)), section 1.11.1.

As set forth in section 1.7 of [WIPO Overview 3.1](#): “in cases where a domain name incorporates the entirety of a trademark ..., the domain name will normally be considered confusingly similar to that mark.” Further, as set forth in section 1.12 of [WIPO Overview 3.1](#): “Where the complainant’s trademark is recognizable within the disputed domain name, the addition of other third-party marks (i.e., <mark1+mark2.tld>), is insufficient in itself to avoid a finding of confusing similarity to the complainant’s mark under the first element.” (The fact that the other mark applicable here, ISOESTE, is owned by the Complainant itself or through its subsidiary and not by a third party in no way prevents a finding of confusingly similar. Indeed,

although not argued by the Complainant, the Disputed Domain Name may be confusingly similar to both trademarks owned by the Complainant itself or through its subsidiary.)

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

## **B. Rights or Legitimate Interests**

The Complainant has argued that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, “[t]he confusing similarity between the disputed domain name and the Complainant’s marks, together with the clear mimicry of the Complainant’s website, is likely to mislead consumers into believing that the infringing website is operated by, or affiliated with, the Complainant, when this is not the case”; “Respondent is benefiting, whether directly or indirectly, from falsely associating itself with the Complainant”; “the Respondent registered the disputed domain name and operates the fraudulent website solely in order to misleadingly divert consumers away from the Complainant for the Respondent’s commercial gain”; and “the Complainant’s legal representatives have conducted online investigations and, at the time of filing this Complaint, and subsequently, there is no evidence to suggest that the Respondent (Murilo Henrique), or any third party, holds any rights in the disputed domain name”.

[WIPO Overview 3.1](#), section 2.1, states: “Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that 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 in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.”

The Panel finds that the Complainant has established its prima facie case and without any evidence from the Respondent to the contrary, the Panel is satisfied that the Complainant has satisfied the second element of the Policy.

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

## **C. Registered and Used in Bad Faith**

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy: (i) circumstances indicating that the registrant has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant’s documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant’s website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the registrant’s website or location or of a product or service on the registrant’s website or location. Policy, paragraph 4(b).

In the present case, the Complainant states and provides documentation in support thereof (which Respondent has not denied) that the Disputed Domain Name is used in connection with “a fraudulent copycat website” that “prominently displays copies of the Complainant’s registered KINGSPAN word mark and logo, as well as copies of the registered ISOESTE logo”; that “[i]t is clear that the infringing website has been copied from the Complainant’s official website”; and that “[t]he Respondent’s website promotes the

sale of the Complainant's purported goods, which the Complainant respectfully submits forms part of a scheme to deceive users into purchasing counterfeit or non-existent products".

Clearly, using a disputed domain name that contains a complainant's trademark to imitate a complainant's commercial website creates a likelihood of confusion under paragraph 4(b)(iv) of the Policy, as panels have frequently found. See, e.g., *The Dow Chemical Company v. dawaychemical eva\_hwang@21cn.com +86.7508126859*, WIPO Case No. [D2008-1078](#) (finding bad faith where the Complainant alleged that the Respondent's website "fraudulently impersonat[ed] the Complainant" because "[t]he Respondent was clearly specifically targeting the Complainant's trademark and attempting to divert Internet users searching for the Complainant's product to the Respondent's website"); *Emu (Aus) Pty Ltd. and Emu Ridge Holdings Pty Ltd. v. Antonia Deinert*, WIPO Case No. [D2010-1390](#) ("a reasonable person who visited the Respondent's website was likely to be misled in relation to the source, sponsorship, affiliation, or endorsement of the website and the products purportedly made available for online sale on the website"); *Cantor Fitzgerald Securities, Cantor Index Limited v. Cantor Index*, WIPO Case No. [D2010-0807](#) (finding bad faith where "Respondent copied text, logos and other elements from Complainant's website"); and *Puerto 80 Projects SLU v. Domains By Proxy, LLC, DomainsByProxy.com and Jupiter Miguel Tarrero Gallo*, WIPO Case No. [D2012-1563](#) (finding bad faith where the Complainant alleged that "Respondent just imitates the look and feel of the website of the Complainant").

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 <isoestekingspan.com> be transferred to the Complainant.

/Douglas M. Isenberg/

**Douglas M. Isenberg**

Sole Panelist

Date: May 4, 2026