

ADMINISTRATIVE PANEL DECISION

Naturgy Energy Group, S.A. v. GUSTAVO ARAUJO ALVES
Case No. D2026-1524

1. The Parties

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

The Respondent is GUSTAVO ARAUJO ALVES, Brazil.

2. The Domain Names and Registrar

The disputed domain names <naturgybrasil.fun>, <naturgybrasil.shop> are registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 10, 2026. On April 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 12, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 14, 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 April 21, 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 April 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 18, 2026.

The Center appointed Gonalo M. C. Da Cunha Ferreira as the sole panelist in this matter on May 23, 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 is Naturgy Energy Group, S.A., a Spanish energy company active in the gas, electricity, and renewable energy sectors. According to the record, the Complainant has a significant presence in the energy sector and its NATURGY trademark has been recognized in prior UDRP decisions, administrative decisions, court decisions, rankings, and other materials submitted by the Complainant.

The Complainant is the owner of numerous trademark registrations for NATURGY, including:

European Union trademark NATURGY, registration No. 016692527, registered on November 10, 2017;

Spanish trademark NATURGY, registration No. 3665210, registered on November 23, 2017;

Brazilian trademark NATURGY, registration No. 912746238, registered on July 9, 2019.

The Complainant is also the owner of several domain names incorporating the NATURGY trademark, including <naturgy.com>, <naturgy.es>, <naturgy.org>, <naturgy.net>, <naturgy.foundation>, <naturgy.social>, <naturgy.eco>, <naturgy.website>, <naturgy.tv>, <naturgy.blog>, <naturgy.link>, <naturgy.digital>, <naturgy.online>, <naturgy.email>, <naturgy.world>, and <naturgy.app>.

The disputed domain names <naturgybrasil.fun> and <naturgybrasil.shop> were registered on October 9, 2025. The disputed domain names reproduce the Complainant's NATURGY trademark with the addition of the geographical term "brasil".

According to the evidence submitted by the Complainant, the disputed domain names previously resolved to websites prominently displaying the NATURGY trademark, incorporating the term "brasil", and presenting service-related content, customer-oriented sections, and call-to-action elements, in a manner that suggested an official or authorized local presence of the Complainant in Brazil.

As the Complainant further claims, the disputed domain names no longer resolve to active websites.

The Respondent appears to be located in Brazil. There is no evidence in the record that the Respondent is affiliated with, authorized by, or otherwise connected to the Complainant.

The Complainant, through its representatives, sent cease-and-desist correspondence to the Respondent via the Registrar prior to the filing of the Complaint. No response was received.

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 names.

Notably, the Complainant contends that:

1. the disputed domain names are confusingly similar to the NATURGY trademark, in which the Complainant has rights.
2. the disputed domain names reproduce the NATURGY trademark in its entirety, with the mere addition of the geographical term "brasil".
3. the addition of the generic Top-Level Domains ("gTLDs") ".fun" and ".shop" does not prevent a finding of confusing similarity.
4. Internet users are likely to perceive the disputed domain names as being associated with, or connected to, the Complainant's official online presence, in particular its activities in Brazil.

5. the NATURGY trademark is distinctive, well known, and has been recognized as reputed in prior UDRP decisions, decisions of the Spanish Patent and Trademark Office, Spanish court judgments, and other materials.
6. the Respondent has no rights or legitimate interests in respect of the disputed domain names.
7. the Respondent is not affiliated with the Complainant and has not been authorized to register or use domain names incorporating the NATURGY trademark.
8. the Respondent is not commonly known by the disputed domain names.
9. the Respondent's use of the disputed domain names has not been in connection with a bona fide offering of goods or services or with any legitimate noncommercial or fair use.
10. the disputed domain names were used to host websites displaying the NATURGY trademark, incorporating the term "brasil", and referring to services closely related to the Complainant's business.
11. such websites were designed to take advantage of the reputation of the NATURGY trademark and to mislead Internet users into believing that they were accessing an official or authorized platform of the Complainant.
12. the Respondent registered the disputed domain names with knowledge of the Complainant and its NATURGY trademark.
13. the Respondent registered and used the disputed domain names in bad faith, primarily for the purpose of disrupting the Complainant's business and unfairly taking advantage of the well-known character of the NATURGY trademark.
14. the Respondent intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the websites associated with the disputed domain names.
15. the Respondent failed to respond to the Complainant's cease-and-desist correspondence.
16. the current inactive status of the disputed domain names does not prevent a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

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 names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of the NATURGY trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain names incorporate the NATURGY trademark in its entirety. The NATURGY trademark is clearly recognizable within the disputed domain names. The addition of the geographical term "brasil" does not prevent a finding of confusing similarity. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

The gTLDs ".fun" and ".shop" are viewed as a standard registration requirement and as such are disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the Panel finds that the disputed domain names are confusingly similar to a trademark in which the Complainant has rights.

The Panel finds that 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 a 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 that 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 shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain names. 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 that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent is not affiliated with the Complainant, has not been authorized to use the NATURGY trademark, and there is no evidence that the Respondent is commonly known by the disputed domain names.

The evidence submitted by the Complainant shows that the disputed domain names previously resolved to websites prominently displaying the NATURGY trademark, incorporating the term “brasil”, and referring to services closely related to the Complainant’s business. Such use created the impression of an official or authorized local platform of the Complainant in Brazil. In the circumstances of this case, such use is not capable of conferring rights or legitimate interests on the Respondent.

The Respondent did not submit any Response and has therefore failed to rebut the Complainant’s prima facie showing or otherwise demonstrate rights or legitimate interests in the disputed domain names.

Accordingly, the Panel finds that 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 Panel finds that the Respondent was aware of the Complainant and its NATURGY trademark at the time of registration of the disputed domain names. The disputed domain names reproduce the Complainant’s NATURGY trademark in its entirety, with the addition of the geographical term “brasil”, and were registered several years after the Complainant had secured trademark protection for NATURGY, including in Brazil.

The record shows that the NATURGY trademark has been recognized in prior UDRP decisions and other materials submitted by the Complainant as a distinctive and reputed mark in the energy sector. The composition of the disputed domain names, combining the NATURGY trademark with the term “brasil”, supports a finding that the Respondent targeted the Complainant and its trademark, particularly given that the Respondent appears to be located in Brazil.

The evidence submitted by the Complainant shows that the disputed domain names previously resolved to websites prominently displaying the NATURGY trademark and presenting service-related content in a manner liable to mislead Internet users into believing that the disputed domain names were operated by, affiliated with, or authorized by the Complainant. In the circumstances of this case, the Panel finds that the Respondent intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement of the disputed domain names and associated websites, within the meaning of paragraph 4(b)(iv) of the Policy.

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 3.1](#), section 3.2.1.

The Panel further notes that the disputed domain names currently do not resolve to active websites. However, panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available

record, including the distinctiveness and reputation of the NATURGY trademark, the composition of the disputed domain names, the Respondent's prior use of the disputed domain names, the absence of any plausible good-faith explanation for the registration and use of the disputed domain names, and the Respondent's failure to participate in this proceeding, the Panel finds that, in the circumstances of this case, the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

Accordingly, the Panel finds that the disputed domain names were registered and are being 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 names <naturgybrasil.fun> and <naturgybrasil.shop> be transferred to the Complainant.

/Gonçalo M. C. Da Cunha Ferreira/

Gonçalo M. C. Da Cunha Ferreira

Sole Panelist

Date: June 5, 2026