

## **ADMINISTRATIVE PANEL DECISION**

**ENGIE v. Host Master, Njalla Okta LLC**

**Case No. D2026-1603**

### **1. The Parties**

The Complainant is ENGIE, France, represented by Cabinet Germain & Maureau, France.

The Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

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

The disputed domain name <engie-belgium.com> (the “Domain Name”) is registered with Tucows Domains Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 14, 2026. On April 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On April 16, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 20, 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 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 15, 2026.

The Center appointed Wolter Wefers Bettink as the sole panelist in this matter on May 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.

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

The Complainant is a global industrial group, with headquarters based in France, operating in the fields of energy, energy services, and the energy transition. The Complainant is present in more than 30 countries and is actively engaged in the production of low-carbon energy, the decarbonization of energy uses, and the development of sustainable energy infrastructure. The Complainant employs more than 90,000 people worldwide and had reported revenues of EUR 73.8 billion in 2024.

The Complainant is the owner of word and figurative trademarks consisting of or incorporating the sign “ENGIE”, including but not limited to the following registrations (the “Trade Marks”):

- France word mark ENGIE, registered on March 31, 2015, under No. 4169708;
- European Union word mark ENGIE, registered on February 20, 2016, under No. 014337133;
- International word/device mark ENGIE, registered on September 10, 2015, under No. 1282376;
- European Union word/device mark ENGIE, registered on February 19, 2016, under No. 014063978;
- European Union word/device mark ENGIE, registered on February 20, 2016, under No. 014063747.

The Complainant also holds a number of domain names under the generic Top Level Domain (“gTLD”) “.com”, consisting of a combination of the sign ENGIE and a geographical denomination, including but not limited to <engie-deutschland.com>, <engie-benelux.com>, <engie-france.com> and <engie-uk.com> (the “ENGIE Domain Names”).

The Domain Name was registered on November 19, 2025. The Domain Name currently resolves to a warning page generated by Cloudflare indicating: “Warning – Suspected Phishing. This website has been reported for potential phishing. Phishing is when a site attempts to steal sensitive information by falsely presenting as a safe source.”

#### **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 Domain Name fully and identically reproduces the word mark ENGIE with the mere addition of a geographical term, which is not sufficient to avoid a finding of confusing similarity with the Trade Marks in which the Complainant has established rights. ENGIE is a coined and inherently distinctive term, devoid of any descriptive or generic meaning, and it is the dominant element of the Domain Name. The mere addition of the geographic suffix “Be” does not alter this assessment. On the contrary, the inclusion of “Belgium” significantly exacerbates the likelihood of confusion, as this element will be directly perceived by Internet users as designating a Belgian territorial scope. This is all the more problematic as the Complainant maintains a substantial, longstanding and well-documented presence across numerous European countries, as evidenced by the ENGIE Domain Names, and especially in Belgium, where it operates as a major energy provider under the ENGIE Trade Marks. In this context, the juxtaposition of the word mark ENGIE with the geographic identifier “BELGIUM” creates a clear and immediate association with the Complainant’s Belgian activities.

From the perspective of the relevant public, such a composition is highly likely to be interpreted as referring to an official website dedicated to the Complainant's operations in Belgium, or to a localized portal intended for Belgian customers. Accordingly, rather than dispelling confusion, the addition of the term "BELGIUM" actively reinforces it by suggesting a legitimate territorial affiliation with the Complainant. It therefore increases the risk that Internet users will mistakenly believe that the Domain Name is owned, controlled, or endorsed by the Complainant.

The Respondent has no rights or legitimate interest in the Domain Name, since there is no business affiliation with the Complainant, nor any permission or license given to the Respondent by the Complainant to use the Trade Marks in any manner. The high level of online visibility of the Trade Marks, confirms both the distinctiveness and the notoriety of the ENGIE mark, which is immediately recognized by Internet users as identifying the Complainant. In these circumstances, a simple search on commonly used search engines would have been sufficient for the Respondent to ascertain the legal unavailability of the Trade Marks and their exclusive association with the Complainant.

Furthermore, the Domain Name was registered and is being used in bad faith, since the word mark ENGIE is inherently distinctive and widely recognized in the energy sector, in light of which it is inconceivable that the Respondent registered the Domain Name without prior knowledge of the Complainant and its rights. The Domain Name contains the ENGIE word mark and merely adds the geographic term "BELGIUM", thereby creating a direct association with the Complainant and the Trade Marks. Therefore, it is likely that the Domain Name is perceived by Internet users as designating an official or regional website operated by the Complainant. Even assuming that the Respondent had not conducted trade mark searches prior to registration, a simple query for the term ENGIE on any search engine would have immediately revealed that the results are exclusively associated with the Complainant and its activities.

The Respondent therefore knew, or at the very least should have known, of the Complainant's rights at the time of registration.

The Respondent's bad faith is further evidenced by the manner in which the Domain Name is used.

The Domain Name currently resolves to a warning page generated by Cloudflare indicating: "Warning – Suspected Phishing. This website has been reported for potential phishing. Phishing is when a site attempts to steal sensitive information by falsely presenting as a safe source." This situation is highly indicative of bad faith registration and use within the meaning of paragraph 4(a)(iii) of the UDRP, for several reasons.

First, the presence of such a warning demonstrates that the Domain Name has been reported to, and independently flagged by, Cloudflare, a reputable third-party security provider as being associated with phishing activities. The existence of this warning therefore constitutes objective evidence that the Domain Name has been used, or is reasonably suspected to have been used, for fraudulent purposes.

Second, phishing schemes inherently rely on deception and impersonation. By definition, phishing consists in attempting to mislead Internet users into believing that they are interacting with a legitimate entity in order to extract sensitive information (such as login credentials, financial data, or personal information). The use of a domain name that is confusingly similar to the Trade Marks in such a context strongly supports a finding that the Respondent intentionally sought to exploit the Trade Marks' reputation and goodwill to deceive users.

Third, even if the Respondent were to argue that the phishing content is no longer active, the current blocking of the website by Cloudflare does not negate bad faith. On the contrary, UDRP panels have consistently held that the use of a domain name for fraudulent or abusive purposes, including phishing, is in itself sufficient to establish bad faith, regardless of whether the content remains accessible at the time of the proceedings. The presence of a security block strongly suggests prior abusive use and reinforces the conclusion that the Domain Name was registered and used with malicious intent.

Finally, the combination of (i) the confusing similarity between the Domain Name and the Trade Marks, and (ii) its association with suspected phishing activity, leaves no reasonable doubt as to the Respondent's intent. The only credible explanation is that the Respondent registered the Domain Name with full knowledge of the Complainant's rights and with the purpose of carrying out, or facilitating, fraudulent schemes targeting Internet users.

The Complainant further notes that the Domain Name is registered through the privacy service "Njalla", which has been repeatedly identified in prior UDRP proceedings involving abusive domain name registrations. While the use of a privacy or proxy service is not in itself indicative of bad faith, panels have consistently held that such use may support a finding of bad faith where it is coupled with other indicia of abusive conduct. The Complainant's analysis of the 111 UDRP decisions involving the Njalla anonymization service shows that in 109 cases Njalla was used to conceal the registrant identity in the context of abusive registrations.

## **B. Respondent**

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

## **6. Discussion and Findings**

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

The Complainant has shown that it has registered rights in the Trade Marks. The Domain Name is confusingly similar to the Trade Marks as it incorporates the ENGIE word mark in its entirety, while ENGIE is also the dominant element of the word/device marks. The addition of the geographical term "Belgium" in the Domain Name does not avoid a finding of confusing similarity between the Domain Name and the Trade Marks (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.8). The gTLD ".com" is typically disregarded under the confusing similarity test, since it is a technical registration requirement ([WIPO Overview 3.1](#), section 1.11.1). Therefore, the Panel finds that the Domain Name is confusingly similar to the Trade Marks in which the Complainant has rights.

### **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 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 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.

Based on the evidence and the undisputed submissions of the Complainant, the Panel concludes that the Respondent has not received the Complainant's authorization or consent to use the Trade Marks as part of the Domain Name, is not commonly known by the Domain Name, and has not acquired trade mark rights in the Domain Name. In addition, the Respondent's use of the Domain Name does not constitute a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the Domain Name, since the Domain Name resolves to a website which, according to the Cloudflare notice and subsequent blocking thereof, has been reported for use for phishing purposes.

In view of the above, the Panel concludes that the Complainant has established that the Respondent has no rights or legitimate interests in the Domain Name.

### **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. This list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, leaves open that other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. See [WIPO Overview 3.1](#), section 3.2.1.

Based on the undisputed information and the evidence provided by the Complainant, the Panel finds that at the time of registration of the Domain Name the Respondent was or should have been aware of the Trade Marks, since:

- the Respondent's registration of the Domain Name occurred more than ten years after the registration of the earliest of the Trade Marks;
- the word mark ENGIE, which is the dominant element of the Domain Name, is an inherently distinctive term and it is unlikely that the Respondent spontaneously thought of it when registering the Domain Name; and
- a simple trade mark register search, or even an Internet search, prior to registration of the Domain Name would have informed the Respondent of the existence of the Trade Marks.

Since, moreover, the Respondent has no authorization from or other affiliation with the Complainant, and was or should have been aware of the Complainant's rights at the time of registration, the Domain Name was registered in bad faith.

With regard to bad faith use, the Panel finds that the following circumstances taken together warrant a finding of bad faith use of the Domain Name:

- the probability that the Respondent was aware or should have been aware of the Complainant's rights in the Trade Marks;
- the use of the Domain Name for a website engaged in phishing activities, as evidenced by the security block on the website under the Domain Name and the warning by Cloudflare;
- the lack of a formal Response of the Respondent;
- the use upon registration of the Domain Name of a proxy service, apparently to hide the identity of the Respondent.

Therefore, the Panel concludes that the Domain Name has been registered and is being used in bad faith.

### **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 <engie-belgium.com> be transferred to the Complainant.

*/Wolter Wefers Bettink/*

**Wolter Wefers Bettink**

Sole Panelist

Date: June 3, 2026