

## **ADMINISTRATIVE PANEL DECISION**

Ethenea Independent Investors S.A. (Société Anonyme) v.  
DavrenskiDavrenski  
Case No. D2026-2547

### **1. The Parties**

The Complainant is Ethenea Independent Investors S.A. (Société Anonyme), Luxembourg, represented by Preu Bohlig & Partner, Germany.

The Respondent is DavrenskiDavrenski, United States of America ("United States" or "U.S.").

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

The disputed domain name <ethenea-info.com> is registered with Realtime Register B.V. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 11, 2026. On June 12, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 15, 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 (Unavailable) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 16, 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 June 19, 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 June 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 14, 2026.

The Center appointed C. K. Kwong as the sole panelist in this matter on July 28, 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

Haron Holding S.A. is the registered owner of trademarks consisting of or embodying the word “ethenea”. As claimed in the amended Complaint and referred to in Annex 4 of the amended Complaint, these include the following European Union trademark registrations:

| Mark                          | Registration No.                                              | International Classification of goods/services |
|-------------------------------|---------------------------------------------------------------|------------------------------------------------|
| ETHENEA                       | Registration No. 010411965<br>registered on March 20, 2012    | 16 and 36                                      |
| ETHENEA                       | Registration No. 018528840<br>registered on November 26, 2021 | 16 and 36                                      |
| ETHENEA INDEPENDENT INVESTORS | Registration No. 010436814<br>registered on December 6, 2012  | 16 and 36                                      |

The Complainant is expressly authorized to enforce all rights of Haron Holdings S.A. in the aforesaid ETHENEA trademarks in the name of the Complainant as specified in the Authorization to enforce Trademarks Rights referred to in Annex 5 to the Amended Complaint.

The Complainant was established in 2010. It is a Luxembourg-based, bank-independent investment management and fund management company actively managing investment funds across 11 countries. It is regulated and supervised in Luxembourg by the Commission de Surveillance du Secteur Financier (CSSF).

The Complainant operates an official website using the domain name <ethenea.com> (Annex 6 to the amended Complaint). The uncontradicted evidence produced by the Complainant shows that the use and registration of its ETHENEA mark occurred well before the registration of the disputed domain name <ethenea-info.com> on March 31, 2026. The disputed domain name resolved to a website apparently operated by an entity known as ETHENEA Americas, LLC, at which services of the same type and description as those of the Complainant were offered namely, financial, and asset management services.

Other than the particulars shown in the printout of the database searches conducted by the Complainant on the Whois Database (as provided in Annex 1 to the amended Complaint) and the website pages as shown in Annex 7 of the amended Complaint, there is no evidence concerning the background, businesses or activities of the Respondent.

#### 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, for the following reasons.

The Complainant has rights in the ETHENEA mark. The disputed domain name is confusingly similar to the Complainant's registered ETHENEA trademark, incorporating the ETHENEA trademark in its entirety and adding to it only the descriptive or generic expression “info” which is the abbreviation for the word “information”.

The Respondent's actual name does not correspond to the disputed domain name.

No license or authorization has been given by the Complainant to the Respondent, to use the trademark ETHENEA. The Respondent has no relationship with the Complainant.

The Respondent was not making a bona fide offering services or legitimate noncommercial or fair use of the disputed domain name.

The contents of the website to which the disputed domain name ultimately resolves show the Respondent's familiarity with the Complainant's mark ETHENEA and its services at the time of registration of the disputed domain name which was many years after the Complainant's registration of its mark ETHENEA in 2012.

ETHENEA Americas LLC is the apparent user/operator of the said website, listing therein the Complainant's founders as its founders, falsely claiming a "Parent Relationship" with the Complainant when there is no business relationship between the Complainant and the Respondent. Furthermore, the address of Ethenea America LLC does not have a valid postal code and cannot be found on Google Maps. The intention of the Respondent is to give the impression that the Complainant is a U.S. division of the Complainant.

The Respondent has used the Complainant's trademark ETHENEA on the website to which disputed domain name resolves, offering services of the same types as those offered by the Complainant. The Respondent registered the disputed domain name with full knowledge of the Complainant's Trademark ETHENEA and is using the disputed domain name identical to the Complainant's trademark in order to mislead Internet users to access the Respondent's commercial website.

## **B. Respondent**

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

## **6. Discussion and Findings**

Having considered the records in the case file, the Panel is satisfied that the Center has discharged its responsibility under paragraph 2(a) of the Rules to employ reasonably available means calculated to achieve actual notice to the Respondent of the Complaint.

The Three Elements In rendering its Decision, the Panel must adjudicate the dispute in accordance with paragraph 15(a) of the Rules which provides that, "[t]he Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable". Paragraph 14(b) of the Rules further provides that, "[i]f a Party, in the absence of exceptional circumstances, does not comply with any provision of, or requirement under, these Rules or any requests from the Panel, the Panel shall draw such inferences therefrom as it considers appropriate". The said three elements are considered below.

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

The Complainant being an affiliate and/or agent or licensee of the trademark owner Haron Holding S.A. has successfully shown rights in respect of a trademark ETHENEA for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.4.1.

The entirety of the mark ETHENEA is reproduced 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.

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 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.

There is no legitimate explanation on the record as to why it was necessary for the Respondent to adopt the word “ethenea” in the disputed domain name.

The Complainant has also confirmed that it has not licensed the Respondent to use its trademark ETHENEA in the disputed domain name

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. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

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.

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 Complainant’s licensor, Haron Holdings S.A. has registered its ETHENEA trademark as detailed in Section 4 above and the Complainant has been using it for over some 14 years before the registration of the disputed domain name by the Respondent in 2026.

The contents of the website to which the disputed domain name resolves show that the operator of that website is offering services reference to or using the mark ETHENEA, being exactly the Complainant’s mark and in relation to the same types of services of the Complainant.

In addition to the word mark ETHENEA, even the names of the Complainant’s founders (as shown in Annex 7 to the amended Complaint) are used as the names of the founders of the said entity Ethenea Americas LLC which even claimed its parent to be the Complainant, when it is not.

By reason of the above and the incorporation of the unique ETHENEA trademark entirely letter by letter as part of the disputed domain name without any explanation and the Complainant's prior substantial use of the ETHENEA mark, it leads to the conclusion that the Respondent must have been aware of the existence of the Complainant and its trademark ETHENEA at the time of the registration and use of the disputed domain name. The Panel concludes that the disputed domain name was registered and is being used in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

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 <ethenea-info.com> be transferred to the Complainant.

*/C. K. Kwong/*

**C. K. Kwong**

Sole Panelist

Date: August 11, 2026