

ADMINISTRATIVE PANEL DECISION

Petróleo Brasileiro S.A - Petrobras v. 高金英
Case No. D2026-2581

1. The Parties

The Complainant is Petróleo Brasileiro S.A – Petrobras, Brazil, represented by Siqueira Castro Advogados, Brazil.

The Respondent is 高金英, China.

2. The Domain Name and Registrar

The disputed domain name <petrobraswins.com> (the “Disputed Domain Name”) is registered with Vantage of Convergence (Chengdu) Technology Co., Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on June 12, 2026. On June 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 16, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 17, 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 amendment to the Complaint in English on June 18, 2026.

On June 17, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the Disputed Domain Name is Chinese. On June 17, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

The Center verified that the Complaint together with the amendment to the 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 in English and Chinese of the Complaint, and the proceedings commenced on June 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 13, 2026.

The Center appointed Peter J. Dernbach as the sole panelist in this matter on July 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 a Brazilian energy company headquartered in Rio de Janeiro, Brazil, with multinational operations, and is ranked among the largest oil companies in the world.

The Complainant owns an extensive portfolio of trademark registrations for the word mark PETROBRAS (the "PETROBRAS Mark(s)"), including, among others, the following:

- Brazil registration No. 004101570, registered on December 10, 1981, for class 4;
- United States of America registration No. 3676471, registered on September 1, 2009, for class 42;
- Australia registration No. 945011, registered on February 25, 2003, for classes 1, 4, 35, 39, and 42; and
- New Zealand registration No. 826209, registered on December 24, 2010, for classes 1, 4, 35, 37, 39, 42, and 43.

The record further shows that the PETROBRAS Mark enjoys substantial recognition, the Complainant having been ranked among the most valuable Brazilian brands.

The Complainant also operates its official website at "www.petrobras.com.br" and owns several domain names incorporating its PETROBRAS Mark, including <petrobras.com> (registered on March 6, 1996).

The Disputed Domain Name was registered on September 19, 2025. According to the evidence in the record, the Disputed Domain Name previously resolved to an active website prominently branded as "Petrobraswin" that appeared to offer online gambling and betting services presented in Portuguese and directed at Brazilian consumers (the "Respondent's Website"). The Disputed Domain Name does not currently resolve to an active website.

The Respondent, according to the information provided by the Registrar, appears to be an individual with an address located in China.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy, and requests that the Disputed Domain Name be cancelled.

(i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant contends that, as the Disputed Domain Name bears the word “Petrobras” in its entirety, it is identical to the Complainant’s main trademark PETROBRAS and business name (Petrobras) and is similar to the Complainant’s registered trademarks.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

The Complainant contends that the Respondent does not run any business under the name “Petrobras” and has never used such expression to identify its products or services. The Complainant further contends that the Respondent does not own any trademark application or registration for the word “Petrobras”, nor has the Respondent ever been authorized by the Complainant to use its PETROBRAS Marks. The Complainant argues that the Respondent’s use of PETROBRAS in the Disputed Domain Name is abusive and illegitimate. Consequently, the Complainant asserts that the Respondent lacks any rights or legitimate interests in the Disputed Domain Name.

(iii) The Disputed Domain Name has been registered and is being used in bad faith.

The Complainant contends that the Disputed Domain Name was registered and is being used in bad faith, arguing that the Disputed Domain Name resolves to an empty webpage, which amounts to passive holding with prior knowledge of the Complainant’s trademark, such that the Respondent is free-riding on the Complainant’s goodwill.

B. Respondent

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

6. Discussion and Findings

6.1. Language of the Proceeding

The language of the Registration Agreement for the Disputed Domain Name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English, the primary reasons being that English is an internationally recognized universal language, and conducting the case in Chinese would impose significant linguistic difficulties and unnecessary translation costs on the Complainant.

The Respondent was given an opportunity to indicate its preference for the language of the proceeding and did not make any submission with respect to the language of the proceeding. The Respondent did not object to the Complainant’s request.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judiciously in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Substantive Issues

In accordance with paragraph 4(a) of the Policy, in order to succeed in this administrative proceeding and obtain the requested remedy (in this case, cancellation of the Disputed Domain Name), the Complainant must prove that each of the three following elements are present:

- (i) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- (iii) the Disputed Domain Name has been registered and is being used in bad faith.

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 3.1](#), section 1.7.

The Panel finds the Complainant has established that it has rights in the PETROBRAS Marks. The Panel further finds the PETROBRAS Mark is reproduced in its entirety within the Disputed Domain Name. The addition of the descriptive term "wins" does not prevent a finding of confusing similarity here for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. The generic Top-Level Domain ".com" is viewed as a standard registration requirement and is disregarded in the assessment of confusing similarity. [WIPO Overview 3.1](#), section 1.11.1. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Thus, 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.

The Panel notes that the Complainant contends that it has not authorized the Respondent to use the PETROBRAS Marks, and that the Respondent does not run any business under the name "Petrobras" and has never used the term in connection with a bona fide offer of products or services. The Panel finds no evidence that the Respondent (identified by the Registrar as 高金英) is commonly known by the Disputed Domain Name. There is also no showing that the Respondent owns any corresponding trademark.

Although the Complainant characterized the Respondent's use as passive holding, the record shows that the Disputed Domain Name previously resolved to an active website, which appeared to be a commercial website offering online gambling services under the "Petrobraswin" branding. The content at the website to which the Disputed Domain Name resolved was in Portuguese and appears to have been directed at Brazilian consumers. Such use may create confusion among Internet users, as they may believe that the website was operated by or affiliated with the Complainant. Moreover, such use is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use.

Given the above, 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.

Therefore, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under the third element of the Policy, the complainant must demonstrate that the disputed domain name has been registered and is being used in bad faith. 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.

As a preliminary matter, the Panel notes that the Complainant premises its case on passive holding of an allegedly empty webpage. The record, however - particularly the Complainant's own Annex 4 - shows that the Disputed Domain Name previously resolved to the Respondent's Website, a functioning site which appeared to be offering online gambling services. In accordance with paragraph 15(a) of the Rules, the Panel decides the case on the basis of the entirety of the evidence submitted, and finds that the Disputed Domain Name had previously been actively used.

Regarding registration in bad faith, the Complainant's PETROBRAS Marks have been registered and used worldwide for decades and long predate the registration of the Disputed Domain Name on September 19, 2025. The record additionally demonstrates the widespread reputation of the PETROBRAS Mark, as the Complainant has been listed as a well-known Brazilian brand. The website to which the Disputed Domain Name resolved was presented in Portuguese and appears to have been directed at Brazilian consumers, targeting the very market in which the Complainant's PETROBRAS Mark is best known. Given the foregoing, the Panel finds it inconceivable that the Respondent registered the Disputed Domain Name, which reproduces the "petrobras" element in its entirety, without knowledge of the Complainant and its PETROBRAS Marks. The Panel therefore finds that the Disputed Domain Name was registered in bad faith.

Regarding use in bad faith, the Respondent's Website appropriated the PETROBRAS Mark in its entirety, presented itself as "Petrobraswin", and appeared to offer online gambling and betting services in Portuguese directed at Brazilian consumers. The Panel finds that, by using the Disputed Domain Name in this manner, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's Website by creating a likelihood of confusion with the Complainant's PETROBRAS Mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's Website or the services offered thereon, within the meaning of paragraph 4(b)(iv) of the Policy. Moreover, the association of the Complainant's renowned PETROBRAS Marks with online gambling services carries a risk of tarnishment. The Panel therefore finds that the Disputed Domain Name is being used in bad faith. [WIPO Overview 3.1](#), sections 3.1.4 and 3.12.

Considering the above, 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 <petrobraswins.com> be cancelled.

/Peter J. Dernbach/

Peter J. Dernbach

Sole Panelist

Date: August 6, 2026