ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

DEXCO S.A. v. Henri Le Bourlegat, CaZco Digital
Case No. D2026-2786

1. The Parties

The Complainant is DEXCO S.A., Brazil, represented by Murta Goyanes Advogados, Brazil.

The Respondent is Henri Le Bourlegat, CaZco Digital, Brazil.

2. The Domain Name and Registrar

The disputed domain name <lojadeca.com> is registered with Domain.com - Network Solutions, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 25, 2026. On June 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 26, 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 (Perfect Privacy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 29, 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 July 3, 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 July 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 26, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 27, 2026.

The Center appointed Wilson Pinheiro Jabur 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

The Complainant is a Brazilian company founded in 1951, that manufactures sanitary ware and fittings, as well as ceramic tiles. The Complainant presently counts with a subsidiary in North America, established in 1999, in addition to operations in Europe and manufacturing sites in Brazil and Colombia.

One of the Complainant's trademarks is DECA, used in connection with sinks, showers, faucets and sanitary fittings.

The Complainant owns and operates the domain name <deca.com.br>, registered on November 4, 1997, as well as the following, amongst others, trademark registrations (Annexes F and G to the Complaint):

- Brazil Trademark Registration No. 909074135 for DECA (word mark) registered on October 17, 2017, in international class 11, this trademark was found to be "highly renowned" by the Brazilian Trademark Office, on July 8, 2025, thus being awarded special protection across all fields of activities in Brazil (roughly the equivalent to "famous marks" in the United States of America);

- Brazil Trademark Registration No. 001965204 for DECA (word mark) registered on May 22, 1957, successively renewed, in class 6; and

- United States of America Trademark Registration No. 2,594,017 for DECA (word mark) registered on July 16, 2002, successively renewed, in class 11.

The disputed domain name was registered on October 11, 2022, and presently does not resolve to an active webpage. In the past, the disputed domain name was used in connection with a parked webpage displaying pay-per-click ("PPC") links.

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 asserts that its DECA trademark identifies products that constitute a benchmark in their respective segments, notably sinks, showers, faucets and sanitary fittings; also being associated by consumers with quality, technological innovation, and a commitment to sustainable practices.

Under the Complainant's view, the disputed domain name incorporates the Complainant's famous DECA trademark in its entirety, with the addition of the generic term "loja" ("store" in English), which is incapable of avoiding a likelihood of confusion thereof.

Regarding the absence of the Respondent's rights or legitimate interests, the Complainant argues that:

i) the Complainant has never authorized the Respondent to register the disputed domain name;

ii) the Respondent is not commonly known by the disputed domain name;

iii) although a company associated with the Respondent ("CaZco Digital") provided services to the Complainant in connection with the development of the Loja Deca platform, no license or authorization was ever granted to register or retain the disputed domain name; and

iv) the disputed domain name has been used in connection with a webpage displaying several sponsored links, via the PPC system, what does not characterize a bona fide offering of goods or services, or a noncommercial or fair use of the disputed domain name.

As to the registration and use of the disputed domain name in bad faith, the Complainant asserts that:

i) DECA is a well-known mark and widely advertised in Brazil, where the Respondent is located, having thus the Respondent deliberately registered the disputed domain name to unfairly and opportunistically benefit from the goodwill associated with the DECA trademark and to attract customers to the disputed domain name;

ii) the Respondent had actual prior knowledge of the Complainant's business and digital operations in view of the services rendered by CaZco Digital to the Complainant, making it impossible to regard the registration of the disputed domain name as coincidental;

iii) the Respondent has been using the disputed domain name in connection with a webpage displaying PPC links, thus attracting for commercial gain Internet users to its website or other online location; and

iv) the Respondent's choice to retain a privacy protection service, so as to conceal its identity is a further indicative of the Respondent's bad faith conduct.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements, which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

(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.

The Complainant must prove in this administrative proceeding that each of the aforementioned three elements is present in order to obtain the transfer of the disputed domain name.

In accordance with paragraph 14(a) of the Rules, if the Respondent does not submit a Response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

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 has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark 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.

Although the addition of other term ("loja") may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

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 Respondent, in not responding to the Complaint, has failed to invoke any of the circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests in the disputed domain name. This entitles the Panel to draw any inferences from such default, as it considers appropriate, pursuant to paragraph 14(b) of the Rules. Nevertheless, the burden of proof is still on the Complainant to make at least a prima facie case against the Respondent under the second UDRP element.

In that sense, and according to the evidence submitted, the Complainant has made a prima facie case against the Respondent who has not been commonly known by the disputed domain name. Although the Respondent's organization acted as a service provider to the Complainant in connection with the development of the Loja Deca platform, the Complainant asserts that "neither the commercial proposal nor any related document granted CaZco Digital [the Respondent's organization] or the Respondent any rights over the DECA trademark or authorized them to register, own, or hold the domain name lojadeca.com in their own name." The Respondent has not come forward to refute this allegation.

Also, the lack of evidence as to any trademarks registered by the Respondent corresponding to the disputed domain name, corroborates the indication of an absence of rights or legitimate interests in the disputed domain name.

Moreover, according to the evidence submitted by the Complainant, the use made of the disputed domain name in connection with a website hosting PPC links does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the disputed domain name in these circumstances.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain name.

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

C. Registered and Used in Bad Faith

The Policy indicates in paragraph 4(b) 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.

In this case, both the registration and use of the disputed domain name in bad faith can be found pursuant to Policy, in view of the Complainant's uncontested allegations and of the use of PPC links in the webpage that resolved from the disputed domain name.

The Panel notes that the Respondent's organization acted as a service provider for the Complainant in 2022, same year of registration of the disputed domain name, and that the Complainant states "neither the commercial proposal nor any related document granted CaZco Digital [the Respondent's organization] or the Respondent any rights over the DECA trademark or authorized them to register, own, or hold the domain name lojadeca.com in their own name.", a statement that was not refuted by the Respondent. Therefore, based on the available record and on the balance of probabilities, the Panel finds that the disputed domain name was registered in bad faith.

Moreover, the bad faith of the Respondent is also supported here by (i) the composition of the disputed domain name which incorporates a highly renowned mark with the generic term "loja", closely related to the Complainant's activities; (ii) the past business relationship between the parties; (iii) the choice to retain a privacy protection service in an attempt to conceal the Respondent's true identity; and (iv) the lack of reply by the Respondent to refute the Complainant's claims and/or to invoke any rights or legitimate interests.

For the reasons above, the Panel finds that the Respondent has registered and is using the disputed domain name in bad faith pursuant to paragraph 4(b)(iv) of the Policy. The third element of the Policy has therefore been met.

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 <lojadeca.com> be transferred to the Complainant.

/Wilson Pinheiro Jabur/
Wilson Pinheiro Jabur
Sole Panelist
Date: July 30, 2026, 2026