

## **ADMINISTRATIVE PANEL DECISION**

BUNGE SA v. Emperor Ugunna

Case No. D2026-2865

### **1. The Parties**

The Complainant is BUNGE SA, Switzerland, represented by 101domain.com, United States of America.

The Respondent is Emperor Ugunna, South Africa.

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

The disputed domain name <bunge-brasil.com> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 1, 2026. On July 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 2, 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 (Redacted for Privacy). and contact information in the Complaint. The Center sent an email communication to the Complainant on July 3, 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 8, 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 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 3, 2026.

The Center appointed Rodrigo Velasco Santelices as the sole panelist in this matter on August 6, 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 states that the disputed domain name is identical or confusingly similar to Complainant's registered trademark BUNGE and trade name Bunge Limited globally recognized as an agriculture and food processing company. Bunge Limited was the parent company of Complainant and all other global Bunge companies before a recent transaction whereby the global Bunge parent company became the Swiss entity, Bunge Global SA, which owns Bunge SA (Bunge Limited, Bunge Global SA, and Bunge SA hereinafter referred to either individually or jointly as the "Complainant").

Bunge SA is now the trademark holding entity of all BUNGE trademarks. The Complainant was founded over 200 years ago in 1818 and provides agricultural products, including grains and fertilizers, to stabilize crop infrastructure across the globe with the ultimate purpose of sustaining fuel renewable energy solutions. The Complainant operates approximately 300 facilities in more than 40 countries with over 23,000 employees and became a public corporation in 2001.

The Complainant has been operating in the food processing sector for over two centuries, building worldwide brand recognition around its trademark BUNGE. The Complainant registered its first United States Trademark BUNGE, No. 2036787 on February 11, 1997, with an official first use date in 1988. The Complainant registered its second United States trademark BUNGE No. 2682681, on February 4, 2003, for trade financing, risk management, and food processing products and services. The Complainant registered its first WIPO trademark BUNGE, on December 15, 2004.

The Complainant's primary website, "www.bunge.com", was created in 1996 and provides instant access for online customers to learn more about the Complainant's supply chains, investment strategies, and detailed product and market descriptions promoted under the "BUNGE" brand name.

The Complainant maintains an extensive brand portfolio of over 100 domain names consisting of country-code Top-Level Domain ("ccTLD") and generic Top-Level Domain ("gTLD") variations of the trademarked term "BUNGE" including <bungebrasil.info>, <bunge-brazil.com>, <bungebrasilsa.com>, and <bunge-br.com>.

The Complainant has continuously and consistently used its BUNGE trademarks for over four decades prior to the disputed domain name's recent registration.

The disputed domain name was registered on June 6, 2025. The evidence shows that the disputed domain name was used to impersonate the Complainant through email communications that reproduced the Complainant's trademark, logo, and employee information (Annex 6 of the Complaint).

#### **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 it is the owner of the registered trademarks BUNGE, so it cannot be questioned that the disputed domain name is confusingly similar to the Complainant's trademark registrations. The disputed domain name reproduces the BUNGE trademark in its entirety, which is followed

by the descriptive term “brasil”. The addition of this term is not sufficient to dispel the ensuing confusing similarity between the Complainant's BUNGE trademarks and the many domain names owned by the Complainant, such as <bunge-brazil.com>; <bungebrasil.info> and <bungebrasilsa.com>. Moreover, the addition of such term adds to the confusing similarity.

For reasons set out above, and pursuant to paragraph 4(a)(i) of the Policy, the Complainant has strong rights in the trademark BUNGE, and the disputed domain name is confusingly similar to it.

Thus, the Complainant further states that the Respondent clearly had the Complainant's trademark in mind when registering the disputed domain name in order to exploit and profit from its trademark rights. Respondents who knowingly adopt a third party's well-known trademark as a domain name cannot claim the benefit of paragraph 4(c)(i) of the Policy to establish rights to it based merely on use to offer putative goods or services prior to the notice of a dispute.

Further, the Respondent's website content is likely to confuse Internet users into believing that the disputed domain name and the Respondent's unauthorized use may lead consumers to believe it is operated by, approved, sponsored by, or affiliated with the Complainant. Thus, the Complainant states that this implied affiliation or sponsorship cannot constitute legitimate or noncommercial fair use under the Policy.

Furthermore, the Complainant contends that the Respondent has configured the disputed domain name to resolve to a commercial website that directs online consumers to an unaffiliated website and promotes recruitment opportunities on behalf of Complainant's company for fraudulent purposes.

## **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 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 terms, here “brasil”, 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.

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 use of a domain name confusingly similar to a complainant’s mark for impersonation or fraudulent activities can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

In the present case, the Panel notes that the Complainant’s trademarks and domain names were registered several years prior to the registration of the disputed domain name. Therefore, the Respondent knew or should have known the Complainant’s trademark when registering the disputed domain name. The Panel finds that this fact cannot be a simple coincidence.

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 finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant’s Trademark as to the source, sponsorship, or endorsement of the disputed domain name, in bad faith pursuant to paragraph 4(b)(iv) of the Policy.

The evidence shows that the disputed domain name was used to impersonate the Complainant through email communications that reproduced the Complainant’s trademark, logo, and employee information. [WIPO Overview 3.1](#), section 3.4.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under 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 <bunge-brasil.com> be transferred to the Complainant.

*/Rodrigo Velasco Santelices/*

**Rodrigo Velasco Santelices**

Sole Panelist

Date: August 18, 2026