

ADMINISTRATIVE PANEL DECISION

Rhodia Brasil S.A v. Name Redacted

Case No. D2026-3338

1. The Parties

The Complainant is Rhodia Brasil S.A, Brazil, represented by Novagraaf Belgium NV/SA, Belgium.

The Respondent is Name Redacted¹, Brazil.

2. The Domain Name and Registrar

The disputed domain name <rhodiabrasilsa.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 28, 2026. On July 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 29, 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 (Information not available) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 30, 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 August 4, 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").

¹ The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST 12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on August 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 31, 2026.

The Center appointed Erica Aoki as the sole panelist in this matter on September 4, 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 active in the chemical and materials industry. Founded in 1919 and headquartered in São Paulo, Brazil, the Complainant operates industrial facilities in Brazil and supplies products used in a range of industries, including the automotive, cosmetics, textile, and construction sectors. The Complainant is part of the Solvay S.A. group.

The Complainant owns trademark registrations for the RHODIA trademark in Brazil, including:

- Brazilian Trademark Registration No. 002875098, registered on June 15, 1982, in class 1;
- Brazilian Trademark Registration No. 007535163, registered on January 5, 1982, in International class 1;
- Brazilian Trademark Registration No. 007535180, registered on January 5, 1982, in International class 2;
- Brazilian Trademark Registration No. 002664712, registered May 23, 1982, in International class 3; and
- Brazilian Trademark Registration No. 002664704, registered on May 23, 1982, in International class 5.

The Complainant is also the owner of the domain name <rhodiabrasil.com.br>, registered on January 18, 2000.

The disputed domain name was registered on June 8, 2026. At the time of filing of the Complaint, the disputed domain name did not resolve to an active website but to a Registrar parked page.

Following the Registrar's verification, the Registrar disclosed the name of an individual as the registrant of the disputed domain name. The registrant information provided by the Registrar contained the same street address as that of the Complainant in São Paulo, Brazil, while the telephone number and email address differed from those of the Complainant. The Complainant subsequently informed the Center that the name for the registrant of the disputed domain name as provided by the Registrar corresponds to the name of an actual employee of the Complainant and that this employee had not registered or attempted to register the disputed domain name. The Complainant therefore asserted that the employee's identity had been used by a third party without her authorization in connection with the registration of the disputed domain name. In light of these circumstances, the Panel considers that the disputed domain name was most likely registered by a third party without the involvement of the individual identified by the Registrar as the registrant.

The Panel has therefore redacted the Respondent's name from this Decision. An instruction to the Registrar regarding the transfer of the disputed domain name is provided in Annex 1 to this Decision, which shall not be published due to the exceptional circumstances of this case.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical to its RHODIA trademark and trade name. The disputed domain name incorporates the RHODIA trademark in its entirety.

The Complainant submits that the term “rhodiabrasilsa” corresponds to the Complainant’s corporate name, Rhodia Brasil S.A.

The generic Top-Level Domain (“gTLD”) “.com” should be disregarded for purposes of assessing confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Complainant has not licensed or otherwise authorized the Respondent to use the RHODIA trademark or to register any domain name incorporating it.

The Respondent is not commonly known by the disputed domain name and has no trademark rights corresponding to it.

Moreover, the Complainant submits that the whoever registered the disputed domain name concealed its true identity by using, without authorization, the name and contact details of an employee of the Complainant.

The disputed domain name does not resolve to an active website and, according to the Complainant, there is no evidence of any use of the disputed domain name in connection with a bona fide offering of goods or services or for a legitimate non-commercial or fair use.

The Complainant also submits that the composition of the disputed domain name, which combines the RHODIA trademark with the terms “brasil” and “sa” and thereby reproduces the Complainant’s corporate name, carries a risk of implied affiliation with the Complainant.

The Complainant contends that the disputed domain name was registered and is being used in bad faith.

According to the Complainant, its RHODIA trademark rights substantially predate the registration of the disputed domain name. The Complainant submits that, given the longstanding use of the RHODIA trademark and the composition of the disputed domain name, which specifically refers to the Complainant and its Brazilian operations, the Respondent could not reasonably have been unaware of the Complainant when registering the disputed domain name.

The Complainant further contends that the non-use of the disputed domain name does not prevent the finding of bad faith under the doctrine of passive holding.

In this regard, the Complainant relies, inter alia, on the distinctiveness and reputation of the RHODIA trademark, the composition of the disputed domain name, and the absence of any apparent plausible good faith use to which the disputed domain name could be put.

The Complainant also asserts that Mail Exchange (“MX”) records have been configured for the disputed domain name and submits that this creates a risk that the disputed domain name could be used for deceptive email communications.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that the Complainant must prove each of the following three elements:

- (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

The Complainant has established rights in the RHODIA trademark for purposes of the Policy through its trademark registrations. WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)), section 1.2.1.

The disputed domain name incorporates the RHODIA trademark in its entirety, followed by the terms “brasil” and “sa”.

The RHODIA trademark is therefore clearly recognizable within the disputed domain name.

The addition of these terms does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s trademark. [WIPO Overview 3.1](#), section 1.8..

The gTLD “.com” is viewed as a standard registration requirement and may therefore be disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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 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. [WIPO Overview 3.1](#), section 2.1.

In the present case, the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant has not licensed or otherwise authorized the Respondent to use its RHODIA trademark or to register a domain name incorporating the trademark.

There is no evidence that the Respondent is commonly known by the disputed domain name or has acquired any trademark rights corresponding to it.

Moreover, the disputed domain name combines the Complainant's RHODIA trademark with the terms "brasil" and "sa", thereby closely corresponding to the Complainant's corporate name, Rhodia Brasil S.A. In the Panel's view, the composition of the disputed domain name carries a high risk of implied affiliation with the Complainant and, as such, prevents a finding of rights or legitimate interests on behalf of the Respondent. [WIPO Overview 3.1](#), section 2.5.1.

The disputed domain name does not resolve to an active website, and there is no evidence before the Panel of any use or demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, or of any legitimate noncommercial or fair use.

The Respondent has not come forward with any evidence to rebut the Complainant's prima facie case.

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

C. Registered and Used in Bad Faith

The Panel finds that the disputed domain name was registered and is being used in bad faith.

The Complainant's rights in the RHODIA trademark substantially predate the registration of the disputed domain name. The disputed domain name incorporates the RHODIA trademark in its entirety and adds the terms "brasil" and "sa", thereby closely reproducing the Complainant's corporate name, Rhodia Brasil S.A.

In the circumstances of this case, the Panel finds that the composition of the disputed domain name demonstrates that the Respondent was likely aware of the Complainant and its RHODIA trademark and deliberately targeted the Complainant when registering the disputed domain name.

This conclusion is further supported by the circumstances surrounding the registration of the disputed domain name.

The information disclosed by the Registrar identified an employee of the Complainant as the registrant of the disputed domain name and used the Complainant's address, while the employee concerned confirmed that she had neither registered nor attempted to register the disputed domain name.

The Panel considers that the unauthorized use of the identity of an employee of the Complainant, together with the registration of a domain name that carries an implied affiliation with the Complainant by reproducing the Complainant's trademark and that closely corresponds to the Complainant's corporate name, provides compelling evidence of targeting and bad faith registration.

The fact that the disputed domain name does not resolve to an active website does not prevent a finding of bad faith. As set out in section 3.3 of the [WIPO Overview 3.1](#), panels have consistently found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. In the present case, the Panel takes into account the distinctiveness of the RHODIA trademark, the composition of the disputed domain name, which closely corresponds to the Complainant's corporate name, the Respondent's failure to submit a Response, and the circumstances concerning the information provided by the Respondent for the registration of the disputed domain name as described above.

Considering all the circumstances, the Panel finds that the disputed domain name was registered and is being used in bad faith.

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

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 <rhodiabrasilsa.com> be transferred to the Complainant.

/Erica Aoki/

Erica Aoki

Sole Panelist

Date: September 21, 2026