

ADMINISTRATIVE PANEL DECISION

Monster Energy Company v. Pamela Espinosa
Case No. D2026-3361

1. The Parties

The Complainant is Monster Energy Company, United States of America ("United States"), represented by Knobbe, Martens, Olson & Bear, LLP, United States.

The Respondent is Pamela Espinosa, Ecuador.

2. The Domain Name and Registrar

The disputed domain name <monster-energy.blog> is registered with Automattic Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 28, 2026. On July 30, 2026, the Center emailed the Registrar a request for registrar verification in connection with the disputed domain name. On July 31, 2026, the Registrar emailed the Center its verification response, disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Unknown Registrant) and contact information in the Complaint. The Center emailed the Complainant on August 4, 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 6, 2026.

On August 4, 2026, the Center informed the Parties in Spanish and English that the Registration Agreement for the disputed domain name is in Spanish. On August 6, 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 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 August 7, 2026. Under the Rules, paragraph 5, the due date for Response was August 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent of its default on August 31, 2026.

The Center appointed Ada L. Redondo Aguilera as the sole panelist in this matter on September 7, 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 in the business of designing, creating, developing, marketing, and selling beverages. The Complainant was formerly known as Hansen Beverage Company d/b/a Monster Beverage Company.

The Complainant changed its name to Monster Energy Company, effective January 5, 2012.

The Complainant has used the MONSTER ENERGY marks in commerce since at least as early as 2002. In addition to beverages, the Complainant extensively uses its MONSTER ENERGY mark in connection with clothing, beverageware, automotive products, sports and fitness equipment, and other products and services in the United States and internationally in connection with a wide variety of goods and services.

The Complainant owns numerous registrations around the world for its MONSTER ENERGY trademarks, including but not limited to United States trademark registration No. 6,789,708, registered on July 12, 2022.

The Complainant owns the domain name <monsterenergy.com>, on which it launched its website on August 19, 2003. The Complainant's website prominently displays the MONSTER ENERGY trademark and reaches many users.

The Respondent registered the disputed domain name on June 23, 2026. When the Complainant filed the Complaint, the disputed domain name was suspended. The evidence the Complainant submitted shows that it had previously redirected to a website at <monsterenergy3.wordpress.com>.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each element required under the Policy to transfer the disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's MONSTER ENERGY trademark, notwithstanding the inclusion of the additional hyphen. It is asserted that the addition of the generic top-level domain ("gTLD") ".blog" is insufficient to prevent a finding of confusing similarity between the disputed domain name and the MONSTER ENERGY trademark.

The Complainant asserts that the Respondent has no rights or legitimate interests regarding the disputed domain name. According to the Complainant, the Respondent has not made legitimate or fair use of the disputed domain name. The Complainant further alleged that the Respondent registered and used the disputed domain name in bad faith. The Complainant requests the transfer of the disputed domain name to the Complainant.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

The Registrar has confirmed that the language of the Registration Agreement is Spanish. Accordingly, pursuant to paragraph 11(a) of the Rules, the language of the proceeding would ordinarily be Spanish.

However, the Complaint and the amended Complaint were filed in English. The Center sent its case-related communications to the Parties in both Spanish and English and expressly informed the Respondent that the Response could be submitted in either language. The Respondent was therefore afforded a fair opportunity to participate in the proceeding in Spanish, but did not submit a Response or otherwise object to the Complainant's request that English be the language of the proceeding.

Pursuant to paragraphs 10 and 11(a) of the Rules, the Panel must ensure that the Parties are treated with equality, that each Party is given a fair opportunity to present its case, and that the proceeding is conducted with due expedition. Having regard to the bilingual communications sent by the Center, the opportunity afforded to the Respondent to participate in Spanish, and the Respondent's failure to object to the use of English, the Panel considers that conducting the proceeding in English would not unfairly prejudice either Party and would serve the interests of procedural fairness and efficiency.

Accordingly, the Panel determines that English shall be the language of the proceeding.

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 disputed domain name reproduces the MONSTER ENERGY trademark in its entirety, with a hyphen between the words "monster" and "energy". The hyphen does not prevent a finding of confusing similarity. The ".blog" generic Top-Level Domain is disregarded as a standard registration requirement. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark. [WIPO Overview 3.1](#), section 1.7.

The Panel finds that 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 the UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may require the difficult task of “proving a negative”, requiring information that is often primarily within the respondent’s knowledge or control. 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 that the Complainant has established a prima facie case indicating 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 Complainant has established that it has not licensed, authorized, or otherwise permitted the Respondent to register or use its MONSTER ENERGY trademark. There is also no evidence in the record indicating that the Respondent has been commonly known by the disputed domain name or by the name “Monster Energy”.

The evidence submitted with the Complaint shows that the disputed domain name previously redirected Internet users to a website at “monsterenergy3.wordpress.com”. The website contained Spanish-language content concerning sports, energy, and healthy habits. It also prominently displayed the words “MONSTER ENERGY”, reproduced imagery of the Complainant’s products and trademarks, and included an embedded video of the Complainant’s official YouTube channel.

The Panel has considered whether this use could constitute a legitimate noncommercial or fair use, including use as a fan or informational website. For such use to confer rights or legitimate interests, it must be genuine, and the website must be clearly distinguishable from the trademark owner’s official website. Moreover, a respondent’s use will not ordinarily be considered fair where the composition of the disputed domain name and the associated website falsely suggest affiliation, sponsorship, or endorsement by the trademark owner. See [WIPO Overview 3.1](#), sections 2.5 and 2.7.

Here, the disputed domain name consists solely of the Complainant’s MONSTER ENERGY trademark, with the insertion of a hyphen, under the “.blog” generic Top-Level Domain. In the Panel’s opinion, while the gTLD “.blog” may denote an informational site (of the type both third parties and the Complainant could create), it does not clearly convey an origin different to the Complainant or a lack of affiliation. In the Panel’s opinion its composition carries a significant risk of implied affiliation. That risk is reinforced by the prominent reproduction of the MONSTER ENERGY name and product imagery on the associated website. The website did not contain a disclaimer or otherwise identify itself as an independent fan or informational site. Instead, the overall presentation could convey the impression that the Complainant operated, sponsored, or endorsed the website.

The Respondent did not submit a Response and has therefore not rebutted the Complainant’s prima facie case or provided any explanation or evidence demonstrating rights or legitimate interests under paragraph 4(c) of the Policy.

Accordingly, the Panel finds that the Complainant has established the second element of paragraph 4(a) of the Policy.

C. Registered and Used in Bad Faith

For purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) sets out a non-exhaustive list of circumstances that, if found by the Panel to be present, constitute evidence of the registration and use of a domain name in bad faith. More generally, bad faith under the Policy exists where a respondent seeks to

take unfair advantage of or otherwise abuse a complainant's trademark. See [WIPO Overview 3.1](#), section 3.1.

The disputed domain name was registered on June 23, 2026, many years after the Complainant commenced using its MONSTER ENERGY trademark and obtained trademark registrations for that mark.

The evidence submitted by the Complainant demonstrates the extensive international use, promotion, and recognition of the MONSTER ENERGY trademark before the registration of the disputed domain name.

The disputed domain name reproduces the MONSTER ENERGY trademark in its entirety, except for the insertion of a hyphen. Moreover, according to the evidence presented by the Complainant, the website to which the disputed domain name redirected prominently displayed the MONSTER ENERGY name, images of the Complainant's products and trademarks, and a video of the Complainant's official YouTube channel. These circumstances demonstrate that the Respondent was aware of the Complainant and its trademark when registering the disputed domain name.

According to the evidence presented in the present case, the composition of the disputed domain name, together with the content and overall presentation of the associated website, created a likelihood that Internet users would believe that the disputed domain name and website were operated, sponsored, endorsed, or otherwise authorized by the Complainant. The website did not prominently disclose the absence of any relationship between the Parties. The Panel therefore finds that the Respondent sought to attract Internet users by creating an unauthorized impression of association with the Complainant and its MONSTER ENERGY trademark.

Nevertheless, the circumstances described in paragraph 4(b) of the Policy are illustrative, not exhaustive. The deliberate registration and use of a domain name corresponding to the Complainant's trademark, for a website that prominently reproduced the said trademark and product imagery without adequately distinguishing itself from the Complainant, constitutes a targeting of the Complainant's trademark and supports a finding of bad faith.

The disputed domain name is currently suspended. The subsequent suspension of the disputed domain name does not alter the Panel's assessment of the Respondent's prior use. The Respondent's failure to submit a Response does not automatically establish bad faith. However, in the circumstances of this case, the Respondent has not provided any explanation for the selection of a domain name corresponding to the Complainant's trademark or for the prominent use of that trademark and the Complainant's product imagery on the associated website.

Having considered the totality of the circumstances, the Panel finds that the disputed domain name was registered and used in bad faith.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraph 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <monster-energy.blog> be transferred to the Complainant.

/Ada L. Redondo Aguilera/

Ada L. Redondo Aguilera

Sole Panelist

Date: September 14, 2026