

## **ADMINISTRATIVE PANEL DECISION**

**WISER EDUCACAO S.A. v. Antonio Jose da Silva**  
**Case No. DCO2025-0067**

### **1. The Parties**

The Complainant is WISER EDUCACAO S.A., Brazil, represented by Araripe & Associados, Brazil.

The Respondent is Antonio Jose da Silva, Brazil.

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

The disputed domain name <meusuccesso.co> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 14, 2025. On August 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 15, 2025, 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 (“GoDaddy.com, LLC”) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 18, 2025, 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 on August 18, 2025.

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 of the Complaint, and the proceedings commenced on August 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 10, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on September 25, 2025. 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 corporation that provides educational services, amongst which business and entrepreneurship courses under the MEUSUCESSO.COM trademark.

In addition to the domain names <meusuccesso.com.br>, registered on April 26, 2002, and <meusuccesso.com>, registered on January 31, 2013, the Complainant is also owner of the following, amongst other, trademark registrations (Annexes 12, 13, and 14 to the Complaint):

- Brazil trademark registration No. 907620337 for the word mark MEUSUCESSO.COM, filed on April 28, 2014, registered on December 13, 2016, in class 41;
- Brazil trademark registration No. 907620574 for the word mark MEUSUCESSO.COM, filed on April 28, 2014, registered on December 13, 2016, in class 16; and
- Brazil trademark registration No. 922462828 for the word mark MEU SUCESSO, filed on March 25, 2021, registered on February 22, 2022, in class 9.

The disputed domain name was registered on June 7, 2025, and presently resolves to a parked webpage stating that it is under construction in Portuguese. Before the time of the filing of the Complaint, the disputed domain name resolved to a webpage that reproduced the contents of the Complainant's official website (Annexes 3 and 9 to the Complaint).

Prior to the procedure, the Complainant's representatives sent a Cease-and-Desist letter by email to the Respondent (Annex 11 to the Complaint), to which a third party seemingly connected to the disputed domain name replied (Annex 8 to the Complaint) stating that the website's content had been spontaneously generated by AI, but had already been removed, further stating that the website's content which had been cloned, had been created for educational purposes in a classroom setting, with no intent to infringe or harm the Complainant's trademark and that the disputed domain name had been legally acquired. In such communication, the sender did not comment on the Complainant's transfer request.

#### **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 the disputed domain name is confusingly similar to the Complainant's registered trademark, differing only by the omission of the final letter "m", what characterizes a typical case of typosquatting.

The Complainant's further states that the Respondent has no rights or legitimate interests in respect to the disputed domain name, nor is it making a bona fide offering of goods or services, given that the disputed domain name has been used in a deliberate attempt to impersonate the Complainant and mislead Internet users.

The Complainant further contends that the Respondent has registered and used the disputed domain name in bad faith and to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark, as to the source, sponsorship, affiliation, or endorsement of its website or of the goods or services appearing thereon, in an attempt to deceive individuals by means of a fraudulent webpage impersonating the Complainant.

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy sets forth 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; and
- (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 aforesaid three elements is present in order to obtain the transfer of the disputed domain name.

### **6. 1. Language of Proceedings**

Although the Complaint was submitted in English language, the Complainant requests that the language of the administrative proceedings to be Portuguese. The Complainant bases such request mostly on the fact that the content of the website associated with the disputed domain name was in Portuguese, it referred to the Brazilian currency ("BRL"), and that the Complainant is a Brazilian company

The language of the Registration Agreement for the disputed domain name is English. 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 proceedings shall be the language of the registration agreement.

Considering that the Complainant is fully capable of communicating in English, that conducting the proceedings in English would not be unfair to either Parties, and noting the aim of conducting the proceedings with due expedition, the Panel resolves that the language of the proceedings is English.

### **6.2. Substantive Matters**

#### **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 Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the MEU SUCESSO mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 (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 3.0](#), 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.

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 and is neither authorized, licensed, or been allowed to use the Complainant’s trademark, whether in the disputed domain name, or in any other way.

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.

Furthermore, and although the Panel notes that in prior dispute communications a third party apparently connected to the disputed domain name claimed that the content of the website associated with the domain name “had been created for educational purposes in a classroom setting”, according to the evidence submitted by the Complainant, the use of the disputed domain name in connection with a webpage impersonating the Complainant 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. Panels have held that the use of a domain name for illegal activity here, claimed impersonation and fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Under these circumstances, 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 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.

This case presents the following circumstances which indicate under the balance of probabilities bad faith registration and use of the disputed domain name:

a) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the disputed domain name;

- b) the Respondent has used the disputed domain name to impersonate the Complainant;
- c) the indication of what appears to be false contact details by the Respondent, not having been able to deliver the Written Notice to it.

The Panel finds that the disputed domain name was registered and used to intentionally attempt to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's mark, and thus 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 <meusuccesso.co> be transferred to the Complainant.

*/Wilson Pinheiro Jabur/*

**Wilson Pinheiro Jabur**

Sole Panelist

Date: October 10, 2025