

PANEL DECISION

Uniunea Nationala a Barourilor Din Romania v. Daniel-Alexandru Bota Case No. DEU2026-0007

1. The Parties

The Complainant is Uniunea Nationala a Barourilor Din Romania, Romania, represented by Turcu & Turcu, Romania.

The Respondent is Daniel-Alexandru Bota, Romania.

2. The Domain Name, Registry and Registrar

The Registry of the disputed domain name <unbr.eu> is the European Registry for Internet Domains (“EURid” or the “Registry”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 4, 2026. On March 5, 2026, the Center transmitted by email to the Registry a request for registrar verification in connection with the disputed domain name. On March 6, 2026, the Registry transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the .eu Alternative Dispute Resolution Rules (the “ADR Rules”) and the World Intellectual Property Organization Supplemental Rules for .eu Alternative Dispute Resolution Rules (the “Supplemental Rules”).

In accordance with the ADR Rules, Paragraph B(2), the Center formally notified the Respondent of the Complaint, and the proceedings commenced on March 13, 2026. In accordance with the ADR Rules, Paragraph B(3), the due date for Response was April 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 15, 2026.

The Center appointed Dr. Beatrice Onica Jarka as the sole panelist in this matter on April 17, 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 ADR Rules, Paragraph B(5).

4. Factual Background

The Complainant in this administrative proceeding is Uniunea Nationala a Barourilor Din Romania (*acronym* UNBR).

The Complainant is an entity of public interest, composed of all bar associations in Romania.

The Complainant is the owner of its official website, “www.unbr.ro” and holds the exclusive rights to use the names “Barou” (Bar Association), “Uniunea Nationala a Barourilor din Romania” (National Union of Bar Associations of Romania), the acronym “UNBR”, as well as the UNBR logo and related visual identity elements, which are protected under Romanian law as distinctive signs and have acquired public recognition and distinctiveness as renowned trademarks.

The Respondent is Daniel Alexandru Bota who appears to be an individual.

This disputed domain name had been registered on February 23, 2011. The disputed domain name resolved to a website consisting of a list of practicing lawyers, which reproduces the official registration database of lawyers duly registered by the Complainant’s UNBR.

Following the Complainant’s notification to the hosting service provider, the hosting services have been suspended and the website under the disputed domain name is presently not accessible.

5. Parties’ Contentions

A. Complainant

The Complainant contends that:

- It holds exclusive rights under the applicable national legal framework governing the legal profession, particularly in respect of the protected names, official logo including the acronym U.N.B.R. and associated visual identity elements.
- The applicable national legal framework governing the legal profession expressly prohibits as a crime and subjects to legal sanction the unauthorized use of the names specific to the Bar, the National Union of Bars in Romania (U.N.B.R.), as well as other designations and symbols reserved to the legal profession is expressly prohibited and subject to legal sanctions.
- The infringement at issue arises from the Respondent’s unauthorized use of the acronym “UNBR”, including its incorporation in the disputed domain name, thereby targeting and appropriating a sign that functions as a distinctive identifier of the Complainant.
- The disputed domain name is identical to the name under which UNBR holds exclusive rights, including the official logo and associated visual identity elements, under Romanian law.
- The Respondent’s unlawful activity is far more extensive and encompasses a range of illicit acts:
 - a) Reproduction of the names “Barou”, “Uniunea Nationala a Barourilor din Romania” and the acronym “UNBR”;
 - b) Copying and using information from UNBR’s official database, as published on the official website “www.unbr.ro”;
 - c) Use of UNBR’s logo and associated visual identity elements.

- This longstanding, uninterrupted and exclusive use has led the relevant public to associate the sign “UNBR” exclusively with the Complainant.
- Under the designation “UNBR”, the entity carries out its statutory activities at national level, such as the coordination of all Romanian bar associations, the management of professional registers, the regulation of admission and discipline within the profession and the operation of national digital platforms serving both lawyers and the public.
- The services performed under the designation “UNBR” are of exclusive statutory competence and are widely known to the Romanian public.
- The cumulative evidence, including the long-standing and exclusive use of the sign, the national wide scope of activities conducted under it, the extensive public exposure through official and media channels and the consistent recognition by the relevant public, demonstrates that the designation “UNBR” has acquired distinctiveness (secondary meaning). In the perception of Romanian consumers and legal professionals, “UNBR” does not function as a mere acronym, but operates as a unique and exclusive source identifier of the National Union of Bar Associations of Romania.
- The disputed domain name clearly targets the Complainant's distinctive acronym, as well as the name and any related visual elements or symbols in the content of the website, creating the false impression that the website is operated by, affiliated with, or authorized by UNBR or connected to the official website “www.unbr.ro”.
- Under Romanian law, it is prohibited for any person to use, without authorization, the names “Barou” (Bar Association), “Uniunea Nationala a Barourilor din Romania” (National Union of Bar Associations of Romania), “UNBR”, as well as names specific to the practice of the legal profession or to use without authorization the symbols associated with the legal profession.
- The Complainant had sustained efforts before the Romanian authorities to put an end to the unlawful activities of an organized criminal group operating primarily through the website to which the disputed domain name resolves.
- The Complainant had obtained against the so-called “Constitutional Bar” (Baroul Constitutional), also known as the “Bota Bar” (Baroul Bota), numerous Court decisions, by which the courts ordered the entity to cease any use, in any form and on any support, of the trademark “UNIUNEA NATIONALA A BAROURILOR DIN ROMANIA” and of the related graphic representation of the lawyer's insignia bearing the name “UNIUNEA NATIONALA A BAROURILOR DIN ROMANIA” (UNBR), to cease use of the name “UNIUNEA NATIONALA A BAROURILOR DIN ROMANIA” and of the corresponding graphic trademark and the annulment of the trademarks, registered under the Bota Bar.
- On October 17, 2019, the Complainant obtained a court decision ordering the deletion of the domain name <bota.ro> by the National Institute for Research and Development in Informatics (ICI).
- Under these circumstances, the Respondent was aware that it held no legitimate rights in the sign “UNBR” and fully understood its obligations under Romanian law, as well as the legal consequences of its actions.
- The registration and use of the disputed domain were clearly intended to exploit the public recognition of the Complainant's marks, mislead users and divert them to the Respondent's website or services.

- The Respondent's conduct clearly demonstrates bad faith under the applicable law, as the disputed domain name was registered and used to attract Internet users to its website by creating a likelihood of confusion with the Complainant's sign, as well as to the source, affiliation or endorsement of the website and the services offered therein, thereby obtaining commercial or reputational advantage from such confusion.

B. Respondent

Although procedurally summoned, the Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar to a name in respect of which a right or rights are recognized or established by national law of a Member State and/or European Union law

The Complainant has shown that it holds exclusive statutory rights in Romania in respect of the acronym UNBR under the applicable national legal framework governing the legal profession, particularly in respect of the protected names, official logo and associated visual identity elements.

The national law governing the legal profession of Romania as European Union Member State expressly provides for the acronym UNBR as the official acronym of the Uniunea Nationala a Barourilor din Romania and formally designates the entity Uniunea Nationala a Barourilor din Romania with its acronym.

The same national law prohibits as a crime and subjects to legal sanction the unauthorized use of the names specific to the Bar, the National Union of Bars in Romania (U.N.B.R.), as well as other designations and symbols reserved to the legal profession is expressly prohibited and subject to legal sanctions.

In the opinion of the Panel holding exclusive statutory rights in Romania in respect of the acronym UNBR is sufficient for the Complainant to assert a right or rights recognized or established by national law of a Member State and/or European Union law for the purpose of element one to be proven in respect of the disputed domain name.

The Panel also notes (1) the continuous use of the acronym UNBR, since in 2004; (2) its significant public and media recognition at both national and international levels; (3) its significant presence on the Internet through consistent promotion; and (4) the acronym UNBR being distinctive in relation to the Complainant's activities.

The disputed domain name incorporates in full the acronym under which the Complainant is legally known.

Accordingly, the disputed domain name is identical to the acronym name UNBR in which the Complainant holds exclusive statutory rights under Romanian law.

B. Rights or Legitimate Interests

According to UDRP practice, 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.

Although this dispute is unrolling under the REGULATION (EU) 2019/517 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (Regulation (EU) 2019/517), the UDRP practice is to apply as according to paragraph 17 of the said Regulation provides that “The alternative dispute resolution (ADR) procedures to be adopted should [...] take into account the international best practices in this area and in particular the relevant recommendations of the World Intellectual Property Organization, to ensure that speculative and abusive registrations are avoided as far as possible. Those ADR procedures should respect uniform procedural rules that are in line with those set out in ICANN's Uniform Domain Name Dispute-Resolution Policy”.

The Panel considers that the Complainant made a prima facie case that the respondent lacks rights or legitimate interests, and the Respondent despite being procedurally summoned did not reply.

In this sense, the Panel notes the Complainant's efforts before the Romanian authorities to put an end to the unlawful activities of an organized criminal group operating primarily through the website to which the disputed domain name resolves and particularly the Court decisions obtained following these efforts against the so-called “Constitutional Bar” (Baroul Constitutional), also known as the “Bota Bar” (Baroul Bota), by which the courts ordered the entity

- to cease any use, in any form and on any support, of the trademark “UNIUNEA NATIONALA A BAROURILOR DIN ROMANIA” and of the related graphic representation of the lawyer's insignia bearing the name “UNIUNEA NATIONALA A BAROURILOR DIN ROMANIA” (UNBR).
- to cease use of the name “UNIUNEA NATIONALA A BAROURILOR DIN ROMANIA” and of the corresponding graphic trademark and the annulment of the trademarks, registered under the Bota Bar.
- the deletion of the domain name <bota.ro> by the National Institute for Research and Development in Informatics (ICI).

The Panel further notes that the name of the entity is similar with the name of the Respondent in this case.

It appears that, under these circumstances, the Respondent was aware that it held no legitimate rights in the sign “UNBR” and fully understood its obligations under Romanian law, as well as the legal consequences of its actions.

Accordingly the Panel finds that the Respondent lacks any rights or legitimate interests in the disputed domain name.

C. Registered or Used in Bad Faith

Under the Regulation (EU) 2019/517, article 4, paragraph 4 for a domain name to be revoked, and where necessary subsequently transferred to another party, following an appropriate ADR or judicial procedure, where that name is identical or confusingly similar to a name in respect of which a right is established by Union or national law, the Complainant has to prove that the disputed domain name has either been registered by its holder without rights or legitimate interests in the name or been registered or is being used in bad.

Although no further analysis under this element is required under the Regulation (EU) 2019/517, article 4, paragraph 4, this Panel cannot help to note that the Complainant had proven that the disputed domain name had been registered and used with the intent to exploit the public recognition of the Complainant, mislead the Internet users and divert such users to the Respondent's website or services.

Such conduct supports obviously the finding that the Respondent registered and has been using the disputed domain name in bad faith.

7. Decision

For the foregoing reasons, in accordance with Paragraph B(11) of the ADR Rules, and considering that the Complainant has provided evidence that it satisfies the general eligibility criteria for registration set out in Article 3 of Regulation (EU) 2019/517, the Panel orders that the disputed domain name, <unbr.eu> be transferred to the Complainant.¹

/Dr. Beatrice Onica Jarka/

Dr. Beatrice Onica Jarka

Sole Panelist

Date: May 5, 2026

¹ (i) The decision shall be implemented by the Registry within thirty (30) days after the notification of the decision to the Parties, Unless the Respondent initiates court proceedings in a Mutual Jurisdiction, as defined in Paragraph A(1) of the ADR Rules.

(ii) If the remedy granted is “transfer”, the Panel shall briefly discuss that the Complainant satisfies the general eligibility criteria for registration set out in Article 3 of Regulation (EU) 2019/517.