Decision for dispute CAC-UDRP-107989

Case number	CAC-UDRP-107989
Time of filing	2025-09-29 09:35:44
Domain names	app-eon.online

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	EON.SE

Complainant representative

Organization	Lubberger Lehment Rechtsanwälte Partnerschaft mbB

Respondent

Organization	Bet House

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is a recognized European company that provides energy networks, infrastructure and innovative customer solutions for Europe and other countries.

The Complainant owns, among many others, the following trademarks:

- European trademark for E.ON (word mark), Reg. No. 002361558, registered on December 19, 2002, in force until September 3, 2031, in International Classes ("ICs") 35, 39, and 40;

- European trademark for e.on (word mark), Reg. No. 002362416, registered on December 19, 2002, in force until September 3, 2031, in ICs 35, 39, and 40;

- European trademark for e.on (word mark), Reg. No. 006296529, registered on June 27, 2008, in force until September 20, 2027, in ICs 07, 36, 37, and 40.

FACTUAL BACKGROUND

The Complainant is a recognized European larger operator of energy networks, energy infrastructure, and a provider of innovative

customer solutions for approximately 48 million customers. The Complainant is a member of the Euro Stoxx 50 stock market index, DAX stock index, and of the Dow Jones Global Titans 50 index.

E.ON is also commonly used to designate the Complainant's company name.

The disputed domain name <app-eon.online> was registered on September 22, 2025. According to the Complainant's dated evidence, the disputed domain name resolved to a website with fraudulent content, hosting a log-in page prominently displaying the E.ON trademark. By the time of this Decision, the disputed domain name resolves to a parked website.

PARTIES CONTENTIONS

Complainant:

The Complainant's primary contentions can be summarized as follows:

- The Complainant contends that the disputed domain name is highly similar to its well-known trademark E.ON; that the addition of the term "app" does not prevent a finding of confusing similarity under the Policy.
- The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, given that the Respondent is not making a legitimate non-commercial or fair use of the domain name, but, on the contrary, the Respondent uses the disputed domain name to operate a fake website that appears, by using the Complainant's trademark, as if it was operated by the Complainant; that customers of the Complainant will be directed to this website to enter their data, assuming that they are logging into or register for an official E.ON portal, which as a form of fraud and illegal activity can never confer rights or legitimate interests on a respondent.
- The Complainant contends that the disputed domain name was registered and is being used in bad faith, given that by the time of the disputed domain name's registration the Complainant's trademark rights over the term E.ON were already established, which is also a well-known trademark; that the website intentionally creates the impression of an official E.ON SE page, which proves that the Respondent was aware of the Complainant and about the E.ON trademark.

Respondent:

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

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met, and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

In accordance with Paragraph 4(a) of the Policy, the onus is on the Complainant to prove:

(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.

The Panel will consider each of these requirements in turn.

1. **Identical or Confusingly Similar**

The Complainant has shown Trademark rights over the term E.ON since 2002. The disputed domain name is composed by the term "app", a hyphen and the Complainant's trademark E.ON (without the dot), additions and subtle alterations that does not prevent a finding confusing similarity between the disputed domain name and the Complainant's trademark under the First Element of the Policy (see E.ON SE v. Domain Administrator, CAC-UDRP Case No. 106946; and WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("WIPO Overview 3.0"), section 1.7 and section 1.8).

As for the applicable generic Top-Level Domain ("gTLD") ".online", it is well established that such element may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark, as it is a technical requirement of registration. WIPO Overview 3.0, section 1.11.1.

Thus, the Complainant has satisfied the first element under the Policy.

2. **Rights or Legitimate Interests**

Paragraph 4(a)(ii) of the Policy requires the Complainant to prove that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent may establish rights or legitimate interests in the disputed domain name by demonstrating any of the circumstances, but without limitation, described in paragraph 4(c) of the Policy.

As previous panelists have stablished, satisfying the burden of proving a lack of the Respondent's rights or legitimate interests in respect of the disputed domain name according to paragraph 4(a)(ii) of the Policy "may result in the often-impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element". See WIPO Overview 3.0, section 2.1.

The Respondent has not submitted any communication during the entire proceeding.

Furthermore, according to the evidence submitted by the Complainant, this Panel finds that:

(1) there is no evidence, prior of the present dispute, of the Respondent's use of, or demonstrable preparation to use the disputed domain name in connection with a bona fide offering of goods or services, and/or for a legitimate noncommercial or fair use purposes, in fact the Respondent purposely chose a well-known trademark as E.ON, added it a term as "app", register it as a domain name, to build a website with suspicious purposes, most probably to obtain sensitive personal data, with it, putting on high risk and confusing the users who seeks or expects to find the Complainant on the Internet, which can never confers any rights or legitimate interest (see WIPO Overview 3.0, section 2.13.1);

(2) there is no evidence that the Respondent has become commonly known by the term "app-eon.online";

(3) the Respondent is not associated or affiliated with the Complainant; the Complainant has not granted any rights to the Respondent to use its trademark E.ON, or has granted any license to offer any product or service, or any rights to apply for registration of the disputed domain name;

Therefore, to the satisfaction of the Panel, the Complainant has made out its prima facie case. No Response or any communication from the Respondent has been submitted. In the absence of a Response, this Panel accepts the Complainant's undisputed factual assertions as true.

Thus, the Complainant has satisfied the second element under the Policy.

3. **Registered and Used in Bad Faith**

3. a) Registration in Bad Faith:

The Complainant acquired its trademark Rights over the term E.ON at least since 2002. The disputed domain name was registered on **September 22, 2025**. The Panel notes that the disputed domain name (and the website) are fully based on the Complainant's well-known trademark, which emphasizes the Respondent's knowledge of the Complainant's business activity and the trademark's value at the time of the registration of the disputed domain name, and with it, showing that the disputed domain name has been registered in bad faith. See WIPO Overview 3.0, section 3.2.2.

3. b) Bad Faith Use:

According to the dated evidence provided by the Complainant, by September 23, 2025, the disputed domain name resolved to a website with fraudulent content, featuring a log-in page that prominently displayed the Complainant's E.ON well-known trademark, seemingly to obtain sensitive personal data from any Complainant's customer and/or Internet user. Accordingly, panels have held that the use of a domain name for illegal activity (here, claimed as to obtain sensitive data or confidential information, or other types of fraud) constitutes bad faith. WIPO Overview 3.0, section 3.4.

Thus, the Complainant has satisfied the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **app-eon.online**: Transferred

PANELLISTS

Name	**María Alejandra López García**

DATE OF PANEL DECISION 2025-11-03

Publish the Decision