Decision for dispute CAC-UDRP-108245

Case number	CAC-UDRP-108245
Time of filing	2025-12-15 09:50:00
Domain names	eonhighspeed.com

Case administrator

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

Complainant

Organization	E.ON SE

Complainant representative

Organization	Lubberger Lehment Rechtsanwälte Partnerschaft mbB

Respondent

Name	Idah Idah

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 owns a number of trademark registrations, including:

- European Union trademark E.ON with registration number 002361558 of December 19, 2002 for services in classes 35, 39 and 40;
- European Union trademark e.on with registration number 002362416 of December 19, 2002 for services in classes 35, 39 and 40; and
- European Union trademark e.on with registration number 006296529 of June 27, 2008 for goods and services in classes 7, 36, 37 and 40.

FACTUAL BACKGROUND

Facts asserted by the Complainant and not contested by the Respondent:

The Complainant is a listed company and one of Europe's largest operators of energy networks and energy infrastructure and a provider of innovative customer solutions for approximately 48 million customers. The Complainant's E.ON trademarks are, as a result of long and intensive use, well-known to significant parts of the public in the European Union and beyond. The Complainant operates a website under the domain name <eon-highspeed.com> in the German language, which offers its services in connection

with fiber optic cables.

The disputed domain name automatically redirects to a website in German with allegedly fake interviews with persons of public interest in Germany.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it. Notably, the Complainant alleges that the disputed domain is confusingly similar to the Complainant's E.ON trademark, which the disputed domain name reproduces in its entirety, only omitting the dot between E and ON. Regardless of this, the trademark E.ON is still perceived by the Internet user. The addition of the purely descriptive word element "highspeed" does not change anything in this respect. The term "highspeed" is understood as reference to the Complainant's services, in particular with regard to the Complainant's almost identical website under its domain name <eon-highspeed.com>.

The Complaint alleges that the Respondent has no rights or legitimate interests in respect of the disputed domain name as the Respondent is not making a legitimate non-commercial or fair use of the disputed domain name. On the contrary, the Respondent uses the disputed domain name to redirect the Internet user to a website that contains fake news or fake interviews, illegally using the trademarks of the established and well-known German news portal "Tagesschau". The Complainant contends that it is well established that the use of a disputed domain name can never confer rights or legitimate interests on a Respondent for fake shops and all other forms of fraud and illegal activities.

The Complainant further asserts that the Respondent has registered and is using the disputed domain name in bad faith, as it contains the Complainant's well-known E.ON trademark and copies the Complainant's domain name <eon-highspeed.com>. According to the Complaint, there is no plausible explanation for the use of the E.ON trademark, and the almost complete adoption of the Complainant's domain name, except that users or customers of the Complainant are to be directed to the Respondent's own website. In addition to that, the Respondent is concealing its identity on the website operated under the disputed domain name.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or 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

The Respondent failed to submit a Response. The Panel shall, however, decide the dispute on the basis of the unrefuted allegations of the Complaint, bearing in mind section 4.3 of WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), which reads:

> "Noting the burden of proof on the complainant, a respondent's default (i.e., failure to submit a formal response) would not by

itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

In cases involving wholly unsupported and conclusory allegations advanced by the complainant, or where a good faith defense is apparent (e.g., from the content of the website to which a disputed domain name resolves), panels may find that – despite a respondent's default – a complainant has failed to prove its case.

Further to paragraph 14(b) of the UDRP Rules however, panels have been prepared to draw certain inferences in light of the particular facts and circumstances of the case e.g., where a particular conclusion is prima facie obvious, where an explanation by the respondent is called for but is not forthcoming, or where no other plausible conclusion is apparent."

1. The disputed domain name is identical or confusingly similar to a Complainant's trademark (Paragraph 4(a)(i) of the Policy).

The Panel finds that the Complainant's E.ON trademark is recognizable within the disputed domain name. The term "highspeed," which is added to the E.ON trademark, does not distinguish the disputed domain names from the Complainant's trademark.

2. The Respondent's lack of rights or legitimate interests in the disputed domain name (paragraph 4(a)(ii) of the Policy)

The Complainant must show a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, which the Respondent may rebut (e.g., Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO Case No. D2003-0455). The Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name as it was not contested that the disputed domain name redirects to a website with fake and assumingly illegal content: "Panels have categorically held that the use of a domain name for illegal activity (..) can never confer rights or legitimate interests on a respondent" (WIPO Overview 3.0, section 2.13.1).

3. The disputed domain name has been registered and is being used in bad faith (paragraph 4(c)(iii) of the Policy)

The Complainant showed that it had registered the E.ON trademarks several decades before the Respondent registered the disputed domain name and the Complainant undisputedly alleged that the E.ON trademarks were well-known at the time the Respondent registered the disputed domain name. As the disputed domain name is nearly identical to the Complainant's domain name <eon-highspeed.com>, in comparison to which it merely omitted a hyphen, and in the absence of a plausible explanation from the Respondent, the Panel considers it likely that the Respondent registered the disputed domain name because it was familiar with the E.ON trademark. Consequently, the Panel is satisfied that the disputed domain name was registered in bad faith.

The Panel is also satisfied that the Respondent uses the disputed domain name in bad faith because it redirects to a website with undisputedly illegal content. See WIPO Overview 3.0, section 3,4: "As noted in section 2.13.1, given that the use of a domain name for per se illegitimate activity (...) can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith".

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **eonhighspeed.com**: Transferred

PANELLISTS

Name	**Alfred Meijboom**

DATE OF PANEL DECISION 2026-01-09

Publish the Decision