Decision for dispute CAC-UDRP-108300

Case number	CAC-UDRP-108300
Time of filing	2026-01-09 09:49:19
Domain names	eon-portal.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	FLEMMING NIELSEN

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 the owner of the following trademark registrations for the name E.ON:

EUTM Reg. No. 002361558 for E.ON, registered on December 19, 2002 in classes 35, 39 and 40;

EUTM Reg. No. 002362416 for e.on, registered on December 19, 2002 in classes 35, 39 and 40; and

EUTM Reg. No. 006296529 for e.on, registered on June 27, 2008 in classes 07, 36, 37 and 40.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

The Complainant is one of Europe's largest operators of energy networks and energy infrastructure and a provider of innovative

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

The disputed domain name was registered on January 1, 2026 and resolves to a login page that displays the E.ON logo.

PARTIES CONTENTIONS

COMPLAINANT

The disputed domain name is confusingly similar to the Complainant's trademark as it incorporates the entirety of the trademark, only omitting the dot, and adds a hyphen, the generic term "portal", and the ".com" gTLD.

The Respondent has no rights or legitimate interests in the disputed domain name where it hosts a fake login page that directs the Complainant’s customers to enter their sensitive data.

The disputed domain name was registered and is used in bad faith where the Respondent was aware of the Complainant's well-known trademark and based on the above-mentioned website resolution.

RESPONDENT

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

In view of the Respondent's failure to submit a response, the Panel shall decide this administrative proceeding on the basis of the

Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint; however, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Jurisprudential Overview 3.0 at paragraph 4.3; see also GROUPE CANAL + v. Danny Sullivan, 102809 (CAC January 21, 2020) ("the Panel, based on the poorly supported and conclusory allegations of the Complainant, retains that the Complainant has not prevailed on all three elements of the paragraph 4(a) of the Policy and, therefore, rejects the Complaint.").

1. Confusingly Similar:

Paragraph 4(a)(i) of the Policy is a standing requirement which is satisfied if the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. Furthermore, it is not as extensive as the "likelihood of confusion" test for trademark infringement applied by many courts. Rather, under the Policy confusing similarity is commonly tested by comparing the Complainant's trademark and the disputed domain name in appearance, sound, meaning, and overall impression. See Administradora de Marcas RD, S. de R.L. de C.V. v. DNS Manager / Profile Group, 101341 (CAC November 28, 2016).

It has been consistently held that "[r]egistration of a mark with governmental trademark agencies is sufficient to establish rights in that mark for the purposes of Policy paragraph 4(a)(i)." Teleflex Incorporated v. Leisa Idalski, FA 1794131 (FORUM July 31, 2018). In this case, the Complainant has submitted screenshots from the European Intellectual Property Office (EUIPO) website demonstrating that it owns a registration of the E.ON trademark. The Panel accepts this evidence as proof of the Complainant's asserted trademark rights.

Next, UDRP panels have consistently held that where the asserted trademark is recognizable within a disputed domain name, the addition of generic words does not prevent a finding of confusing similarity under paragraph 4(a)(i) of the Policy. The disputed domain name copies the entirety of the E.ON trademark, sans the dot, and adds a hyphen, the generic term "portal", and the ".com" gTLD which, in the present case, adds no meaning to the disputed domain name. Lesaffre et Compagnie v. Tims Dozman, 102430 (CAC May 2, 2019) ("the top-level suffix in the domain name (i.e. the '.com') must be disregarded under the identity / confusing similarity test as it is a necessary technical requirement of registration."). Thus, the Complainant asserts that the disputed domain name is confusingly similar to the asserted trademark and will lead internet users to wrongly believe that the disputed domain name originates from or is endorsed by the Complainant. Prior panels have found confusing similarity under similar fact situations. Schneider Electric SE v. schneiderelectrics, UDRP-108153 (CAC January 2, 2026) ("Adding the generic word "shop" and hyphen between words that form the Complainant's trademark does not avoid a finding that the disputed domain name is confusingly similar to the Complainant's trademark.").

Accordingly, the Panel finds that the Complainant has rights to the E.ON trademark and that the disputed domain name is confusingly similar to such trademark. Thus, the Complainant has satisfied paragraph 4(a)(i) of the Policy.

2. Rights or Legitimate Interests:

Paragraph 4(c) of the Policy sets out certain circumstances which, if proven by the evidence presented, may demonstrate a respondent's rights or legitimate interests in respect of a disputed domain name.

The Panel concludes, on the basis of the Complainant's undisputed contentions, that the Respondent has not made use of the disputed domain name in connection with a bona fide offering of goods or services as noted in paragraph 4(c)(i) of the Policy. The Respondent has not been authorized to use the Complainant's E.ON trademark, either as domain name or in any other way. Rather, the Respondent is using the disputed domain name to resolve to a page that displays the Complainant's graphic E.ON logo and invites the user to input its login credentials for its account with the Complainant. Therefore, this Panel concludes that the disputed domain name fully incorporates the Complainant's E.ON trademark and that the Respondent is seeking to divert Internet users who are trying to reach the Complainant but, due to the confusing similarity of the disputed domain name with the Complainant's trademark, end up at the Respondent's website instead. Past decisions under the Policy have held that such use of the disputed domain name is not a bona fide offering of goods or services. See, e.g., Boursorama v. fg gfgs, UDRP-105565 (CAC July 25, 2023) (no bona fide use found where „the Respondent is taking advantage (or at least intends to take advantage) of the Complainant's name and registered Trademark to obtain the credentials and/or personal information of consumers looking for their personal access page at the Complainant's platform...").

Further, as the Whois record for the disputed domain name identifies the Respondent as „Flemming Nielson“, and whereas Respondent has submitted no Response nor made any other submission in this case, there is no evidence before this Panel to suggest that the Respondent is commonly known by the disputed domain name or that it has any trademark rights associated with the name E.ON under paragraph 4(c)(ii) of the Policy.

Finally, it cannot be said that the Respondent has made a legitimate non-commercial or fair use of the disputed domain name without intent for commercial gain as noted in paragraph 4(c)(iii) of the Policy. There is no evidence of record to show, and this Panel is not aware of any information to indicate that the term E.ON has any generic or descriptive meaning. Nor does it appear that the disputed domain name and its resulting website are referring to the Complainant's trademark in any nominative or other classic fair use manner such as for the purpose of commentary, news reporting, grievance, education, or the like.

Therefore, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) and of the Policy and demonstrated that the Respondent has no rights or legitimate interests in the disputed domain name.

3. Bad Faith Registration and Use:

In order to prevail in a dispute, paragraph 4(a)(iii) of the Policy requires that the Complainant prove that the disputed domain name has both been registered and is being used in bad faith.

The Complainant states that it “is one of Europe's largest operators of energy networks and energy infrastructure and a provider of innovative customer solutions for approx. 48 million customers. The Complainant, E.ON SE, is a member of Euro Stoxx 50 stock market index, DAX stock index and of the Dow Jones Global Titans 50 index.” And that, as such, its E.ON trademark is “well-known” and is “associated exclusively with the Complainant.”. Unfortunately, the Panel finds in the submitted evidence no support for this claimed reputation of the Complainant’s trademark (while trademark registrations prove the existence of legal rights, they do not speak to the reputation of a trademark with the consuming public). However, the appearance on the Respondent’s website of the Complainant’s graphic logo and its attempt to harvest users’ login credentials leads this Panel to the conclusion that the Respondent registered the disputed domain name with knowledge of the Complainant's trademark and an intention to target the same in bad faith.

As for use, the Complainant has submitted evidence that the disputed domain name resolves to a page that contains login fields and seeks to obtain user credentials. Such activity has been held to demonstrate bad faith use of a domain name that is confusingly similar to an asserted trademark. Exness Holdings CY Limited v. Muser Jone, UDRP-105427 (CAC October 11, 2024) (bad faith found where "the disputed domain name resolves to a log-in page, which may be regarded as a phishing attempt by the Respondent, seeking to obtain log-in credentials of the Complainant’s legitimate customers."). The Panel in this case finds that, in accordance with paragraph 4(b)(iv) of the Policy, the disputed domain name has been used in bad faith as it creates a likelihood of confusion with the E.ON trademark and resolves to a fraudulent website.

In light of the above, the Panel finds that the Complainant has satisfied paragraph 4(a)(iii) and that the disputed domain name has been registered and used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **eon-portal.com**: Transferred

PANELLISTS

Name	**Steven Levy**

DATE OF PANEL DECISION 2026-02-05