

ADMINISTRATIVE PANEL DECISION

Union des Associations Européennes de Football v. Name Redacted¹
Case No. DIE2024-0001

1. The Parties

The Complainant is Union des Associations Européennes de Football, Switzerland, represented by Stobbs IP Limited, United Kingdom.

The Registrant is Name Redacted.

2. The Domain Name and Registrar

The disputed domain name <euro2028.ie> is registered with IE Domain Registry Limited (“IEDR”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 13, 2024, via email. On February 14, 2024, the Center transmitted by email to IEDR a request for registrar verification in connection with the disputed domain name. On February 14, 2024, IEDR transmitted by email to the Center its verification response confirming that the Registrant is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the .IE Dispute Resolution Policy (the “IEDR Policy”), the WIPO Dispute Resolution Rules of Procedure for .IE Domain Name Registrations (the “Rules”), and the WIPO Supplemental Rules for .IE Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2.1 and 4.1, the Center formally notified the Registrant of the Complaint, and the proceeding commenced on February 22, 2024. In accordance with the Rules, paragraph

¹ The Registrant appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Registrant’s name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Registrant. The Panel has authorised the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated that Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

5.1, the due date for Response was March 21, 2024. The Center did not receive a Response from the Registrant but did receive an email communication from a third party on February 27, 2024.

The Center appointed Adam Taylor as the sole panelist in this matter on April 4, 2024. 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, which was founded in 1954, is the administrative body for association football in Europe and the umbrella organisation for the 55 national football associations across Europe.

Since 1984, the Complainant has operated the well-known UEFA European Football Championships, which are commonly known, amongst other names, by the term "EURO" plus the year in which the relevant tournament is held, e.g., "EURO 2024" for this year's event, and "EURO 2028" for the next one, which will take place in the United Kingdom and Ireland.

Viewer figures for EURO 2020 were approximately 5.2 billion.

The Complainant owns a number of EURO-formative trade marks including:

- United Kingdom Trade Mark No. UK00003965893 for UEFA EURO2028 UK&IRELAND (figurative), filed on October 10, 2023, registered on January 5, 2024, in classes 1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 18, 20, 21, 24, 25, 26, 27, 28, 29, 30, 32; and
- European Union Trade Mark No. 011322351 for EURO 2024, registered on March 20, 2013, in classes 3, 4, 9, 12, 14, 16, 18, 25, 28, 32, 35, 36, 37, 38, 39, 41, 42, 43.

The disputed domain name was registered on February 7, 2022.

As of November 23, 2023, the disputed domain name resolved to a webpage offering the disputed domain name for sale.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the IEDR Policy for transfer of the disputed domain name.

B. Registrant

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

However, the Center received a letter from a firm of solicitors dated February 27, 2024, stating that its client traded under a business name that corresponded to the name of the company identified as the registrant by the Registrar, and at the same address, but that their client had no connection with the disputed domain name.

6. Discussion and Findings

Under paragraph 1.1. of the IEDR Policy, the Complainant is required to prove on the balance of probabilities that:

- the disputed domain name is identical or misleadingly similar to a protected identifier in which the Complainant has rights;
- the Registrant has no rights in law or legitimate interests in respect of the disputed domain name; and
- the disputed domain name has been registered or is being used in bad faith.

A. Identical or Misleadingly Similar to a protected identifier in which the Complainant has rights

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for misleading similarity involves a reasoned but relatively straightforward comparison between the Complainant's protected identifier and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)")², section 1.7.

Under paragraph 1.3.1 of the IEDR Policy, "protected identifiers" include "trade and service marks protected in the island of Ireland". The Complainant owns the above-mentioned United Kingdom and European Union trade marks, which have effect within Northern Ireland and the Republic of Ireland, respectively. Both therefore constitute protected identifiers.

The Complainant has therefore shown rights in respect of protected identifiers for the purposes of the IEDR Policy.

A dominant feature of the United Kingdom mark is recognisable in the disputed domain name. Accordingly, the disputed domain name is misleadingly similar to that mark for the purposes of the IEDR Policy. [WIPO Overview 3.0](#), section 1.7.

As regards the European Union trade mark for EURO 2024, the Panel finds that a dominant feature of this mark is recognisable in the domain name, namely the word "euro" plus the first three digits of the year. Furthermore, the mark differs only by the final digit and conveys a strikingly similar impression. Accordingly, the disputed domain name is misleadingly similar to the European Union mark for the purposes of the IEDR Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the IEDR Policy has been established.

B. Rights in Law or Legitimate Interests

Paragraph 3 of the IEDR Policy provides a list of circumstances in which a registrant may demonstrate rights or legitimate interests in the disputed domain name.

Although the overall burden of proof in IEDR Policy proceedings is on the complainant, panels have recognised that proving a registrant 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 registrant. As such, where a complainant makes out a prima facie case that the registrant lacks rights or legitimate interests, the burden of production on this element shifts to the registrant 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 registrant 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.

² Although [WIPO Overview 3.0](#) is directed to the Uniform Domain Name Dispute Resolution Policy ("UDRP"), given the similarity between the UDRP and the IEDR Policy, it is appropriate to have regard to these principles except to the extent that the IEDR Policy diverges from the UDRP.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Registrant lacks rights or legitimate interests in the disputed domain name. The Registrant 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 IEDR Policy or otherwise.

As to paragraph 3.1.1. of the IEDR Policy, the Panel does not consider that use of the disputed domain name for a website offering the disputed domain name for sale constitutes a bona fide offering in the circumstances outlined in section 6C below where the Panel has concluded that the Registrant registered the disputed domain name for the purpose of sale to the Complainant.

Nor is there any evidence that paragraphs 3.1.2 or 3.1.3 of the IEDR Policy are relevant in the circumstances of this case.

The Panel finds the second element of the IEDR Policy has been established.

C. Registered or Used in Bad Faith

The Panel notes that, for the purposes of paragraph 1.1.3 of the IEDR Policy, paragraph 2 of the IEDR Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration or use of a domain name in bad faith.

The Panel notes that the disputed domain name exactly reflects a commonly-used version of the name of the Complainant's world-famous football competition which is due to be held in the United Kingdom and the Republic of Ireland in 2028. In these circumstances, and given the failure of the Registrant to come forward with any legitimate explanation for its selection of the disputed domain name, the Panel has little difficulty concluding that the Registrant's sale offer on its website was directly aimed at the Complainant and, accordingly, that the Registrant registered the disputed domain name for sale to the Complainant for an amount likely in excess of the Registrant's out-of-pocket costs in accordance with paragraph 2.1.1 of the IEDR Policy.

The Panel also notes that the Registrant has intentionally provided misleading or false information when applying for the domain name registration in accordance with paragraph 2.1.6 of the IEDR Policy. See section 5B above.

The Panel finds the third element of the IEDR Policy has been established.

7. Decision

For all the foregoing reasons, in accordance with paragraphs 5 of the IEDR Policy and 14 of the Rules, the Panel orders that the disputed domain name <euro2028.ie> be transferred to the Complainant.

/Adam Taylor/

Adam Taylor

Sole Panelist

Dated: April 23, 2024