Panel Decision for dispute CAC-ADREU-008878

Case number	CAC-ADREU-008878
Time of filing	2026-01-30 13:14:22
Domain names	goqa.eu

Case administrator

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

Complainant

Organization	GOPA - Gesellschaft für Organisation, Planung und Ausbildung mbH

Complainant representative

Organization	lexTM GmbH Rechtsanwaltsgesellschaft

Respondent

Organization	Account Payable

INSERT INFORMATION ABOUT OTHER LEGAL PROCEEDINGS THE PANEL IS AWARE OF WHICH ARE PENDING OR DECIDED AND WHICH RELATE TO THE DISPUTED DOMAIN NAME

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

FACTUAL BACKGROUND

The Complainant is a multi-disciplinary Group of Consulting and Engineering companies, dedicated to implementing sustainable projects for a better world, founded in Germany in 1965. More than 900 staff members, along with 5000 international and local experts in seven independent consulting companies, are currently working on approximately 1000 projects worldwide.

The Complainant is the owner of several trademark registrations including:

- EU Trademark No. 7444541 for “GOPA”, filed on December 5, 2008, registered on July 28, 2009, and duly renewed for services in classes 35, 42 and 45.
- International Registration No. 1591815 for "GOPA", registered on February 4, 2021, for services in class 42

The Complainants hold, through its subsidiary GOPA Group Service GmbH several domain names including "GOPA" (i.e. <gopa.eu>, registered on April 7, 2006).

The disputed domain name <goqa.eu> was registered on July 4, 2025.

The Respondent is "Account Payable" with a legal address in Italy (according to the WHOIS) and has not responded to the complaint.

A. COMPLAINANT

According to the Complainant, there is a significant likelihood of confusion between the designations “gopa” and “goqa” because both signs are very short, share identical initial and final letters, and differ only in the third letter; a minor difference especially because letters “p” and “q” have both a rounded form and vary only by the direction or placement of their descender.

The Complainant also notes that the Respondent does not hold any trademarks for the disputed domain name and that, when entering the domain, no website can be accessed but a browser warning appears which gives prima facie evidence that harmful or unsafe content is intended to be delivered via the disputed domain name.

Furthermore, it is the Complainant's view that the similarity of the disputed domain name to the "GOPA" trademark makes it unrealistic to believe that the domain name was registered without the Complainant's trademark in mind. In this perspective, the Complainant also observes that the above-mentioned browser warning confirms that the disputed domain name was registered and is being used in bad faith.

Finally the Complainant informs that it has commenced proceedings with CAC for the transfer in its name of the domain name <qopa.eu> (CAC-ADREU-008877) and that in the above-mentioned case, an employee's email address had been impersonated and an attempt was made to deceive one of the Complainant's business partners and induce her to execute a payment based on a fabricated invoice.

B. RESPONDENT

No administratively compliant response has been filed.

DISCUSSION AND FINDINGS

In order for the Complaint to succeed, it must demonstrate that the requirements of Article 4.4 of Regulation (EU) 2019/517 (the "Regulation") and Paragraph B11(d)(1) of the ADR Rules are satisfied. Therefore, the Complaint must show that:

(i) the disputed domain name is identical with or confusingly similar to a name in respect of which a right is established by Union or national law; and either
(ii) the disputed domain name has been registered by its holder without rights or legitimate interest in the name; or
(iii) the disputed domain name has been registered or is being used in bad faith.

If the Complainant succeeds, in order to obtain a transfer of the disputed domain name, it must further satisfy the general eligibility criteria for registration set out in Article 3 of the Regulation.

Firstly, the Panel observes that he has analyzed the case mentioned by the Complainant and that it has been concluded with the transfer of the domain name <qopa.eu> to the Complainant. In this respect, the Panel confirms that there are several similarities with the case in question (especially for the assessment of the similarity between the involved signs) but, at the same time, the Panel notes that the two procedures are formally different and must be treated differently, as the respondents are different parties and the circumstances established or to be established are also different.

Given the above, the Panel must now verify whether the requirements for ordering the transfer of the disputed domain name, as requested by the Complainant, are met.

1. Identity or confusing similarity of the disputed domain name to the Complainant's mark

The Panel agrees with the Complainant that the disputed domain name <goqa.eu> is confusingly similar to the Complainant's trademark "GOPA". In particular, it is clear to the Panel that (as in CAC case no. 008877 related to the domain name <qopa.eu>) the disputed domain name consists of a misspelled version of the Complainant's trademark, where instead of the third letter "p", the letter "q" is used.

The Panel has verified that the Complainant has uncontested rights in the "GOPA" trademark by virtue of its trademark registrations. Now, ignoring the gTLD ".eu" (which has to be disregarded in the present comparison), the disputed domain name comprises the entirety of the Complainant's "GOPA" trademark, save that the letter "q" replaces the letter "p". In the view of the Panel, especially given the extreme similarity between these letters in their lowercase version, this slight misspelling (indicative of "typosquatting") does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark (see, among others, SYENSQO S.A. v. Phil Bennett, WIPO Case No. D2024-4725).

Accordingly, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights and that the first element of the Policy has been established.

2. Legitimate interest in the disputed domain name

There is no evidence before the Panel to suggest that the Respondent has at any time used the disputed domain name, or a name corresponding to the disputed domain name, in connection with a bona fide offering of goods or services, or that the Respondent has made any demonstrable preparations to do so. Furthermore, the browser warning indicated and enclosed in its complaint by the Complainant suggests the exact opposite.

The Panel further accepts the Complainant's submission that the Respondent is not affiliated with or related to the Complainant in any way, and is neither licensed nor otherwise authorised to make any use of the Complainant's trademark. In addition, the available Whois information does not suggest that the Respondent is commonly known by the disputed domain name. Against this background, and absent any response from the Respondent, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name and that consequently also the second element of the Policy has been established.

3. Bad faith registration and use

Given the alternative character of Paragraphs B11(d)(1)(ii) and (iii) of the ADR Rules, the Panel would not need to assess bad faith registration and use. Anyway, it seems that also this element can easily be considered to exist in the present case.

The Panel concurs with the Complainant that the Respondent had prior knowledge of the trademark "GOPA" at the time of registering the disputed domain names <goqa.eu> and therefore its only purpose in registering said domain name was to opportunistically profit from confusing similarity. The Respondent clearly targeted the Complainant's well-known trademark for this purpose.

Further, the indications from the above-mentioned browser warning suggest that the disputed domain name in dispute may have been used for

phishing, which is clearly used in bad faith. In the absence of any response from the Respondent the Panel infers that such phishing has occurred and is the responsibility of the Respondent (see, among others, SILKA AB v. Justus Smith, CAC Case No. 105515).

Therefore, the Panel concludes that also the third element of the Policy has been established.

4. The Complainant's eligibility

The Complainant is a company based in Germany and having its domicile/place of business within the European Union. The Panel, therefore, finds that the Complainant satisfies the general eligibility criteria for registration set out in Article 3 of the Regulation.

DECISION

For all the foregoing reasons, in accordance with Paragraphs B12 (b) and (c) of the Rules, the Panel orders that the Complaint is accepted and the disputed domain name <goqa.eu> be transferred to the Complainant.

PANELISTS

Name	**Guido Maffei**

DATE OF PANEL DECISION 2026-01-30

Summary

ENGLISH SUMMARY OF THIS DECISION IS HEREBY ATTACHED AS ANNEX 1

I. Disputed domain name: <goqa.eu>

II. Country of the Complainant: Germany, country of the Respondent: Italy

III. Date of registration of the domain name: 4 July 2025

IV. Rights relied on by the Complainant (B(11)(f) ADR Rules) on which the Panel based its decision:

- EU Trademark No. 7444541 for “GOPA”, filed on December 5, 2008, registered on July 28, 2009, and duly renewed for services in classes 35, 42 and 45.
- International Registration No. 1591815 for "GOPA", registered on February 4, 2021, for services in class 42

V. Response submitted: No

VI. Domain name is confusingly similar to the protected right/s of the Complainant.

VII. Rights or legitimate interests of the Respondent (B(11)(f) ADR Rules):
1. No
2. Why: No authorisation from Complainant, disputed domain name used for fraudulent activity

VIII. Bad faith of the Respondent (B(11)(e) ADR Rules):

1. Yes
2. Why: Disputed domain name used for fraudulent activity

IX. Other substantial facts the Panel considers relevant: Not applicable

X. Dispute Result: Transfer of the disputed domain name

XI. Procedural factors the Panel considers relevant: Not applicable

XII. Is Complainant eligible? Yes