Decision for dispute CAC-UDRP-106972

Case number	CAC-UDRP-106972
Time of filing	2025-02-10 09:31:51
Domain names	russelhobbs.com

Case administrator

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

Complainant

Organization	Spectrum Brands UK Ltd

Complainant representative

Organization	Coöperatie SNB-REACT U.A.

Respondent

Name	Kwan Lee

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 has proved ownership of the following trademark rights:

- The New Zealand trademark “Russell Hobbs” No. 72845 for, dated March 20, 1963, and duly renewed, covering goods in class 9;
- The US word trademark, registration No. 1106549 for “Russell Hobbs”, registered on November 21, 1978 and duly renewed, covering goods in classes 09 and 11;
- The International trademark “‘Russell Hobbs” No. 1120060 dated February 10, 2012, and duly renewed, covering goods in classes 07, 09 and 11;
- The UK trademark registration “Russell Hobbs” No. UK00001174064 dated April 27, 1982 and duly renewed, covering goods in class 11;
- The EU trademark registration “Russell Hobbs” No. 008963787 dated March 18, 2010 and duly renewed, covering goods in classes 07 and 11.

The Complainant also owns the domain and subdomain names, inter alia:

- <russellhobbs.com>;

- <uk.russellhobbs.com>;
- <ie.russellhobbs.com>.

FACTUAL BACKGROUND

According to the information provided in the Complaint, the Complainant, Spectrum Brands (UK) Limited, is the owner of the Russell Hobbs brand, and is acknowledged as a leader in the small electric appliances market. The brand was founded by Bill Russell and Peter Hobbs, who invented the first automatic electric kettle in 1955 (https://ie.russellhobbs.com/about-us). The name "Russell Hobbs" is derived from the combination of the founders' surnames.

The Complainant website is https://ie.russellhobbs.com/.

The Respondent registered the disputed domain name <russelhobbs.com> on July 15, 2004. No e-mail server was configured at the time of the filing of the complaint, and the domain name resolved to a pay per click (PPC) website. Furthermore, the subdomain <uk.russelhobbs.com> - identical to the disputed domain name except for adding the geographical country code "uk" as a prefix - also resolves to the same PPC website. The PPC page associated to the disputed domain name and the subdomain displays sponsored links which refer to the Complainant and its business activities, such as "Product Registration Form", "Shop Home and Kitchen Applia…" and "Extended Warranty For Home A…".

The Complainant submitted the following documents to prove the abovementioned facts:

- Annex 1: New Zealand trademark registration No. 72845;
- Annex 2: US trademark registration No. 1106549;
- Annex 3: International trademark registration No. 1120060;
- Annex 4: UK trademark registration No. UK00001174064;
- Annex 5: EU trademark registration No. 008963787;
- Annex 6: Information about the disputed domain;
- Annex 7: Screenshots of the disputed domain name;
- Annex 8: General PoA.

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.

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

Identity (paragraph 4(a)(i) of the Policy)

The Panel finds that the disputed domain name <russelhobbs.com> is confusingly similar to the Complainants' Russell Hobbs trademarks.

Firstly, the Complainants' Russell Hobbs trademarks are almost entirely incorporated in the disputed domain name, except for the omission of one letter 'l' in 'Russell'.

Secondly, the omission of the second letter 'l' in the disputed domain name does not mitigate the likelihood of confusion. On the contrary, this typographical variation constitutes a clear case of typosquatting, which is designed to exploit common typing errors and mislead internet users. The resulting domain name remains confusingly similar to the "Russell Hobbs" trademarks, as the overall impression conveyed remains nearly identical to the Complainant's distinctive mark.

Thus, the Panel finds that disputed domain name is confusing and does not provide additional specification or sufficient distinction from the Complainant or its trademarks.

Absence of Rights or Legitimate Interests (paragraph 4(a)(ii) of the Policy).

Firstly, the Panel finds that the Respondent has not been authorized or granted a license by the Complainant.

Secondly, the Respondent is not commonly known by the disputed domain name. Therefore, the Panel concludes that the Respondent did not intend to use the disputed domain name in connection with any legitimate purpose, nor has the Respondent demonstrated a bona fide offer of services.

Also, the Panel finds that the Respondent is not making a legitimate noncommercial or fair use of the domain name but is instead using it for commercial gain by misleadingly diverting consumers from the Complainant's website. The Respondent's registration of the disputed domain name constitutes a clear case of typosquatting, with the omission of a single letter serving no legitimate purpose other than to create confusion with the Complainant's brand. Consequently, such conduct does not meet the criteria for fair use under the Policy.

Additionally, the disputed domain resolves to a pay-per-click (PPC) website, further indicating that the Respondent is using it for monetary gain through sponsored advertisements.

Furthermore, the Respondent had the opportunity to provide arguments supporting its rights or legitimate interests in the disputed domain name. However, by failing to file a response, the Respondent has missed this opportunity, and the Panel is entitled to draw such inferences from the Respondent's failure as it considers appropriate in accordance with Paragraph 14 of the Rules.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests with respect to the disputed domain name.

Bad faith (paragraph 4(a)(iii) of the Policy):

The Panel finds that the Respondent cannot claim ignorance of the Russell Hobbs trademarks. Indeed, the Complainant has been offering products under this trademark since the 1950s, and the disputed domain name was registered long after the Complainant registered and commenced its use of its Russell Hobbs Trademarks (since May 12, 1969).

The disputed domain name represents a clear case of typosquatting, where the Respondent has omitted one letter 'l' from Complainant's trademarks Russell Hobbs while maintaining the rest of the Complainant's trademarks intact. This minor typographical deviation does not occur by coincidence but rather demonstrates a calculated effort to exploit the Complainant's brand by targeting internet users who mistype the brand name. Such a deliberate alteration strongly indicates prior knowledge of the Complainant's trademarks and an intent to capitalize on its reputation.

Furthermore, the disputed domain name resolves to a pay-per-click (PPC) website that generates revenue from sponsored links. Notably, the subdomain <uk.russelhobbs.com> mirrors the disputed domain name—differing solely by the addition of the geographical country code "uk" for the United Kingdom—and similarly directs users to the same PPC site. The content on these pages features sponsored links directly related to the Complainant's business activities, thereby misleading internet users by diverting traffic intended for the Complainant to third-party commercial links. The deliberate typographical variation and the strategic creation of a geographic subdomain were executed with the intent to capture misdirected web traffic and profit from the established goodwill of the Russell Hobbs brand.

In the Panel's opinion, this shows that the disputed domain name was registered and is being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

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Accepted

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

1. **russelhobbs.com**: Transferred

PANELLISTS

Name	**Nathalie Dreyfus**

DATE OF PANEL DECISION 2025-03-19

Publish the Decision