Decision for dispute CAC-UDRP-107650

Case number	CAC-UDRP-107650
Time of filing	2025-06-26 09:58:26
Domain names	siemens-healthineerss.com

Case administrator

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

Complainant

Organization	Siemens Trademark GmbH & Co. KG

Respondent

Organization	Qoppp

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 the following trademark registrations:

- International Registration No. 1357232 "SIEMENS Healthineers" (fig.) of October 25, 2016, designating various territories and claiming protection for goods and services in classes 5, 9, 10, 35, 37, 42 and 44;
- International registration No. 637074 "SIEMENS" of March 31, 1995, covering more than 60 countries worldwide and claiming protection for goods and services in international classes 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 20, 21, 28, 35, 36, 37, 38, 40, 41 and 42.

FACTUAL BACKGROUND

The Complainant, Siemens Trademark GmbH & Co. KG, is a trademark holding company within the Siemens Group, responsible for licensing the trademarks at issue. It is a subsidiary of Siemens Aktiengesellschaft, the ultimate parent company of the Siemens Group.

The Siemens Group, headquartered in Berlin and Munich, reported a turnover of EUR 75.9 billion and employs over 310,000 people across more than 190 countries. Its areas of activity include, among others, medicine, automation, energy, transportation, logistics, and information and communication technologies.

The Complainant's trademarks "SIEMENS" and "SIEMENS Healthineers" are used in connection with medical services, equipment, and solutions, as shown on its official websites (e.g. siemens-healthineers.com and new.siemens.com). In addition to registered trademarks, there are also domain names <siemens-healthineers.com> and <siemens-healthineer.com> which belongs legally to the other member of Siemens Group companies, namely to Siemens Healthcare GmbH.

On the other hand, Siemens Healthineers, another Siemens Group company, is one of the world's largest medical equipment manufacturers, employing approximately 54,000 people.

The "SIEMENS" trademark is widely used an has a considerable reputation. Moreover, the trademarks "SIEMENS" and "SIEMENS

Healthineers” are exclusively associated with the Siemens Group, particularly with Siemens Healthineers AG.

No information is known about the Respondent who registered the disputed domain name <siemens-healthineerss.com> on 8 May 2025. The disputed domain name has not been used and resolves to a blank page.

In May, the Respondent apparently approached a Siemens Healthineers partner, impersonating a Siemens Healthineers employee (Paul Flori), and requesting the partner to submit payments of “outstanding invoices” to a supposed “changed” bank account.

PARTIES CONTENTIONS

COMPLAINANT' CONTENTIONS:

Identical or confusingly similar

The Complainant argues that the disputed domain name < siemens-healthineerss.com> and the Complainant's registered trademarks are confusingly similar.

The Complainant argues that its trademarks “SIEMENS” and "SIEMENS Healthineers" are fully contained within the disputed domain name and points out that the elements in which the signs vary, are insignificant and thus do not alter the overall confusion between the signs.

No rights or legitimate interests

The Complainant argues that there is no evidence at all that the Respondent is commonly known by the disputed domain name or a name corresponding to the disputed domain name, nor that the Respondent is making a bona fide offering of goods or services or preparing to use the disputed domain name in connection with a bona fide offering of goods and services.

Furthermore, the Complainant points out that the nature of the disputed domain name carries a risk of implied affiliation between the Respondent and the Siemens Group, which seems to be the Respondent’s actual intention in registering this domain name.

Registered and used in bad faith

As far as bad faith registration and use is concerned, the Complainant argues that the Respondent deliberately registered the domain name “siemens-healthineerss.com” to exploit the reputation and goodwill of the reputable trademarks SIEMENS and SIEMENS Healthineers. The Complainant considers the domain name to be nearly identical to the Complainant’s official domain and is concerned that the Respondent intended to mislead the public and disrupt the Complainant’s business.

Furthermore, the Complainant contends that the Respondent went beyond passive registration by actively impersonating Siemens Healthineers personnel through fraudulent e-mail addresses associated with the disputed domain. In particular, the Complainant states that the Respondent contacted a Siemens partner in May 2025, requesting payment of fake invoices to a fraudulent bank account, thereby clearly acting in bad faith.

The Complainant further notes that the Respondent is using a privacy protection service to conceal its identity, which reinforces the conclusion of deliberate misconduct. Overall, in view of the Complainant, the evidence submitted together with the Complainant’s statements shows that the Respondent registered the domain with the clear intent to deceive and gain unlawful profit by falsely associating itself with Siemens AG and its affiliates.

RESPONDENT'S CONTENTIONS:

The Respondent did not respond to the Complaint.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is confusingly similar to trademarks 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

Paragraph 15 of the Rules states that the Panel shall decide a Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law deemed applicable.

In the case of default by a Party, Rule 14 states that if a Party, in the absence of exceptional circumstances, does not comply with a provision of, or requirement under the Rules, the Panel shall draw such inferences therefrom as appropriate.

In the present case, the Respondent has not submitted any Response and consequently has not contested any of the contentions made by the Complainant.

The Panel proceeds therefore to decide only on the basis of the Complainant's factual statements and the documentary evidence provided in support of them.

1. First, the disputed domain name, <siemens-healthineerss.com>, is considered by the Panel to be nearly identical and clearly confusingly similar to the Complainant's registered trademarks SIEMENS and SIEMENS Healthineers. The addition of a single extra letter "s" at the end does not alter the visual or phonetic impression and is a classic example of typosquatting.

The Panel accordingly concludes that paragraph 4(a)(i) of the Policy is satisfied.

2. The Respondent is not in any way related to the Complainant's business and is not the agents of the Complainant. The Respondent is not currently known and has never been known as "SIEMENS", "SIEMENS HEALTHINEERS, or any combination of those trademarks.

The domain name <siemens-healthineerss.com>is not associated with any webpage and has only been used for the purpose of a fraudulent e-mail sent to the Complainant´s partner. Therefore, the Respondent does not appear to have any legitimate interest in the disputed domain name.

Consequently, and in the absence of a Response, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name, so that the requirements of paragraph 4(a)(ii) of the Policy are met.

3. As to the bad faith at the time of the registration, the Panel finds that, in light of the hight degree of similarity between the disputed domain name and the Complainant's registered trademarks, and due to the worldwide presence of the Complainant's business known under the name "SIEMENS", the Respondent was more likely be aware of the Complainant's trademarks at the time of the registration of the disputed domain name.

Furthermore, the Complainant notes that the disputed domain name does not resolve to any active web site, nor appears to have been used so far for any legal activity. The only apparent use of the disputed domain was related to fraudulent e-mail communications. Specifically, the Respondent impersonated Siemens Healthineers personnel in an attempt to deceive a Siemens partner into making payments to a fraudulent bank account.

Such misuse of the domain name in e-mail addresses (e.g. paul.flori@siemens-healthineerss.com) confirms both:

- that the Respondent was aware of the confusing similarity with the Complainant's marks; and
- that the domain name was registered and used with the specific intent to mislead, defraud, and exploit the risk of association or confusion with Siemens Healthineers.

In light of the above, the Respondent's conduct satisfies the criteria for a finding of bad faith registration and use under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **siemens-healthineerss.com**: Transferred

PANELLISTS

Name	**Hana Číslerová**

DATE OF PANEL DECISION 2025-07-24

Publish the Decision