Decision for dispute CAC-UDRP-107925

Case number	CAC-UDRP-107925
Time of filing	2025-09-18 10:05:45
Domain names	siemens-healthineerscareers.com

Case administrator

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

Complainant

Organization	Siemens Trademark GmbH & Co. KG

Respondent

Organization	Ice Bella

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 a large portfolio of trademarks. In particular, SIEMENS TRADEMARK GMBH & CO. HG owns:

- International Registration No. 1357232 "SIEMENS Healthineers" (fig.) registered on October 25, 2016 for goods and services in classes 5, 9, 10, 35, 37, 42 and 44;
- International registration No. 637074 "SIEMENS" registered on March 31, 1995 and duly renewed for goods and services in 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 belong 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 and has a considerable reputation. Moreover, the trademarks "SIEMENS" and "SIEMENS Healthineers" are exclusively associated with the Siemens Group, particularly with Siemens Healthineers AG.

In the Complainant's view, the disputed domain name <siemens-healthineerscareers.com> is confusingly similar to the Complainant marks “SIEMENS” and “SIEMENS Healthineers”. In particular, the Complainant notes that the mark “SIEMENS Healthineers” is integrally reproduced inside the disputed domain while the additional word “careers” merely indicates to the consumer that this is a domain name of Siemens Healthineers used in relation to careers/human resources topics.

Furthermore, according to the Complainant, there is no evidence 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. The Complainant also 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.

In addition, the Complainant considers that the Respondent deliberately registered the domain name <siemens-healthineerscareers.com> to exploit the reputation and goodwill of the trademarks SIEMENS and SIEMENS Healthineers and also 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 approached a job applicant in July 2025, impersonating a Siemens Healthineers human resources employee (Denise Cook), and inviting him to a supposed interview process with Siemens Healthineers.

Finally, the Complainant further notes that the Respondent is using a privacy protection service to conceal its identity, which reinforces the conclusion of registration in bad faith.

PARTIES CONTENTIONS

The Complainant´s contentions are summarised above.

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

Paragraph 4(a) of the Policy provides that to obtain the transfer of the disputed domain name; the Complainant must prove that each of the following elements is present:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of he disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

1) The Panel notes that the disputed domain name <siemens-healthineerscareers.com> fully includes the Complainant trademarks SIEMENS and SIEMENS HEALTHINEERS. In particular, as argued by the Complainant, the trademark SIEMENS HEALTHINEERS is obviously distinctive and dominant in the disputed domain name. The addition of the dictionary word "career" is not sufficient to remove the high likelihood of confusion between the Complainant trademarks and the domain name <siemens-healthineerscareers.com>. On the contrary, the addition of this term suggests that the Complainant is offering jobs in its group of companies and, therefore, increases the possibility of confusion (see Syngenta Participations AG v. mike Gideon, Syngenta, WIPO Case No. D2022-3569; Amgen, Inc. v. Daniel Lopez, WIPO Case No. D2024-1278; Verizon Trademark Services LLC v. Humberto Menjivar Verizon, WIPO Case No. D2023-3765; Austin Industries, Inc. v. Thomas Smith, WIPO Case No. D2024-3355). Finally, in accordance with the consensus view of past UDRP panels, the Panel finds that the Top-Level domain (".COM" in this case) is not sufficient to exclude the likelihood of confusion since it is a mere technical requirement included in all domain names. The Complainant therefore succeeds on the first element of the Policy.

2) The Complainant provided prima facie evidence that the Respondent does not have rights or legitimate interests in respect of the disputed domain name as it was never authorized to use it by the Complainant. In addition, nothing in the evidence suggests that the Respondent is commonly known under the disputed domain name. Actually, the Respondent, in the absence of any substantial response, has not shown any facts or elements to justify prior rights or legitimate interests in the disputed domain name. The Complainant therefore succeeds also on the second element of the Policy.

3) Paragraph 4(b) of the Policy provides a non-exclusive list of circumstances that evidence registration and use of a domain name in bad faith. Any one of the following is sufficient to support a finding of bad faith:
(i) circumstances indicating that the respondent has registered or acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that the complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name; or

(ii) the respondent has registered the disputed domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the disputed domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

The Respondent registered the disputed domain name on July 14, 2025 and therefore many years after the registration of the Complainant trademarks SIEMENS and SIEMENS HEALTHINEERS. In consideration of the reputation achieved by the above-mentioned trademarks, it is clear that the Respondent was surely aware of the Complainant trademarks when it registered the domain name in dispute. Moreover, the Respondent appears to have attempted to benefit commercially from the appropriation of the SIEMENS and SIEMENS HEALTHINEERS marks in the disputed domain name. In particular, the use of the mark SIEMENS HEALTHINEERS, well-known in medical equipment sector, to send phishing e-mails which fraudulently purport to originate from the Complainant's legitimate entity, clearly indicates that the disputed domain name was chosen by the Respondent to take advantage of the Complainant´s mark reputation. This finding leads to the obvious conclusion that the disputed domain name has been registered in bad faith.

The Panel also finds that the evidence in this case clearly shows that the Respondent has sent phishing emails from an address that impersonates the Complainant. Previous panels have held that the use of a domain name for illegal activity, here claimed fraudulent impersonation of Complainant in phishing e-mail, constitutes use in bad faith (see, between many others, WIPO Case No. D2024-2724, Cresset Administrative Services Corporation v. Sabrina Daniels). The Respondent has not participated in this case to explain its actions and so, based upon a preponderance of the available evidence, the Panel finds it highly likely that the Respondent registered and uses the disputed domain name in bad faith by disrupting the Complainant's business and by seeking commercial gain through confusion with the Complainant's trademark, per Paragraphs 4(b)(iii) and (iv), (see, between many others CAC Case No. 105344, LendingClub Bank, National Association v. Lennys Alvarez).

In consideration of the above, the Panel concludes that the Respondent registered and is using the disputed domain name in bad faith. The Complainant therefore succeeds also on the third element 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-healthineerscareers.com**: Transferred

PANELLISTS

Name	**Guido Maffei**

DATE OF PANEL DECISION 2025-10-20

Publish the Decision