Decision for dispute CAC-UDRP-107908

Case number	CAC-UDRP-107908
Time of filing	2025-09-15 13:22:43
Domain names	sìemens.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Siemens Trademark GmbH & Co. KG

Respondent

Organization	Arjun Garg

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 owns several trademarks across various jurisdictions, including the International trademark registration No. 637074 "**SIEMENS**" registered since March 31, 1995 (hereinafter collectively referred to as the "Trademark").

FACTUAL BACKGROUND

The Complainant is Siemens Trademark GmbH & Co. KG, a trademark holding company, licensing the trademarks at issue within Siemens Group. The Complainant is a subsidiary of Siemens Aktiengesellschaft (AG), which is the ultimate mother company of the Siemens Group. the Siemens Group is one of the world's largest corporations, providing innovative technologies and comprehensive know-how to benefit customers in 190 countries. Founded more than 175 years ago, the company is active in many fields, such as Automation and Control, Power, Transportation, Logistics, Information and Communications, Medical Technology etc.

The Complainant provides information on its services online inter alia at <siemens.com> and owns numerous domain names with its Trademark.

The disputed domain name <sìemens.com> was registered on December 6, 2024, and is currently not used in connection with an active website. However, the disputed domain name has been used in the form of email addresses, impersonating an alleged Siemens talent acquisition specialist.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant contends that the disputed domain name is almost identical to the Trademark.

Furthermore, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. In

this regard, the Complainant states that the Respondent is not commonly known by the disputed domain name, that it is not affiliated with nor authorized by the Complainant in any way, that the Complainant does not carry out any activity for, nor has any business with the Respondent, and that neither license nor authorization has been granted to the Respondent to make any use of the Trademark or apply for registration of the disputed domain name by the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It contends that the Respondent must have been aware of the Complainant and its famous Trademark at the time of registration of the disputed domain name and that the Respondent's passive holding of the disputed domain name as well as its engagement in fraudulent activities via the related email addresses are evidence of bad faith.

RESPONDENT:

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

Under paragraph 4(a) of the Policy, the Complainant must prove that each of the following three elements is present:

(i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; and

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

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

1. The Panel accepts that the disputed domain name is "almost identical", as the Complainant argues - however, for the purposes of the Policy, it is confusingly similar to the Trademark. It is confusingly similar, indeed nearly identical, due to the grave accent in the letter "i". Since trademarks can be registered by differentiating the way of depicting / writing a mark (even by way of adding a particular font or style) the Panel finds that the "confusing similarity" element is more suitable than the "identity" element. It is well established that the addition of a generic Top-Level Domain (i.e. ".com") after a domain name is a technical requirement and therefore such an element may be disregarded when assessing whether a domain name is identical or confusingly similar to a mark. Consequently, the Panel finds that the disputed domain name is confusingly similar to the Trademark.

2. The Complainant has substantiated that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel finds that the Complainant has fulfilled its obligations under paragraph 4(a)(ii) of the Policy and that the burden of proof has been reversed and would lie with the Respondent. The Respondent did not deny these assertions in any way and therefore failed to

prove any rights or legitimate interests in the disputed domain name.

3.1 The Panel is satisfied that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights in the Trademark as the Trademark is highly distinctive, famous and globally very well-known.

3.2 Furthermore, the Panel accepts the Complainant's contentions that the disputed domain name has been used in bad faith.

Despite the fact that the disputed domain name does not resolve to an active website, the Respondent is using the disputed domain name in email addresses and for the purpose of engaging in fraudulent activities, masked behind the name of the Complainant and its business.

The Respondent's use of the disputed domain name within the email addresses (hr.talentacquisition@sìemens.com, srikanth.vachaspati@sìemens.com, and nilesh.ramwani@sìemens.com), in order to impersonate an alleged Siemens talent acquisition specialist, is indeed disrupting the Complainant's business, harming its reputation, and is taking advantage of its rights in the Trademark. The Respondent's practice is very likely aiming to extract sensitive data and payments from the targeted individuals and aspiring applicants to a Siemens position. After gaining knowledge of the situation, the Complainant sent a cease and desist letter to the Respondent on May 28, 2025, to which the Respondent replied by email one day later, claiming to have regretted its actions and undertaking to discontinue its fraudulent activities in the future. Nevertheless, in August 2025, three more phishing incidents coming from the email address hr.talentacquisition@sìemens.com were reported to the Complainant by phishing victims.

Panels have held that the use of a domain name for illegal activity, as it was used to send fraudulent emails as part of a phishing recruiting scheme, constitutes bad faith (WIPO Overview 3.0, section 3.4., see Synopsys, Inc. v. Sanskruti Parthe, Case No. D2025-2974, et al.). The unrebutted evidence provided by the Complainant indicates that the disputed domain name has been used to impersonate the Complainant in a fraudulent phishing recruiting scheme. Accordingly, the use of the disputed domain name has been made in bad faith. The Respondent failed to file a Response and therefore did not provide evidence of any actual or contemplated good faith use of the disputed domain name. On the contrary, as mentioned above, he replied to the cease and desist letter and recognized that his actions were wrong. Therefore, in light of the above, the Panel finds that the third element of the Policy has been established.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **sìemens.com**: Transferred

PANELLISTS

Name	**Stefanie Efstathiou LL.M. mult.**

DATE OF PANEL DECISION 2025-10-20

Publish the Decision