Decision for dispute CAC-UDRP-107939

Case number	CAC-UDRP-107939
Time of filing	2025-09-18 09:38:26
Domain names	made-easy-by-volkswagen.com , volkswagen-life.com

Case administrator

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

Complainant

Organization	Volkswagen AG

Complainant representative

Organization	Lubberger Lehment Rechtsanwälte Partnerschaft mbB

Respondent

Organization	Cool Domain Names ltd

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 names.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of various trademark registrations for VOLKSWAGEN, including the European Union trademark VOLKSWAGEN with registration No. 000703702, registered on 10 May 1999 for goods and services in International Classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42 (the “VOLKSWAGEN trademark”).

FACTUAL BACKGROUND

The Complainant is a German multinational automotive corporation, established in 1937. It is the parent company of the Volkswagen Group, which was the world’s largest automotive manufacturer by global sales in 2016 and 2017.

The disputed domain names were registered on August 22, 2025. They do not resolve to active websites. The Complainant has submitted evidence that the e-mail accounts information-bestaende@made-easy-by-volkswagen.com and noreply@volkswagen-life.com, which were configured at the disputed domain names, have been used for the distribution of phishing e-mails.

PARTIES CONTENTIONS

COMPLAINANT

The Complainant states that the disputed domain names are confusingly similar to the VOLKSWAGEN trademark, because they incorporate this trademark with the addition of the elements “made-easy-by” and “life”. According to the Complainant, these additional elements do not eliminate the confusing similarity, but suggest that the offer or service is an official offer or service “by” the Complainant, or refer to the name of a series of special models of the Complainant, such as “Golf Life”.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain names, as there is no relationship between the Parties. The Complainant notes that, by sending phishing e-mails from accounts at the disputed domain names, the Respondent deliberately creates the impression of being part of the Complainant’s group or at least an official partner of the Complainant.

The Complainant contends that the disputed domain names were registered and are being used in bad faith. According to it, by registering and using the disputed domain names for the activities described above, the Respondent intentionally exploits the VOLKSWAGEN trademark for illegitimate purposes. According to the Complainant, this specific use shows that the Respondent is aware of the Complainant, its business and its trademark. The Complainant adds that the Respondent is concealing its identity, by sending out emails in the name of the Complainant.

RESPONDENT:

The Respondent did not submit a Response in this proceeding.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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 names (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 names have been registered and are 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

Pursuant to the Policy, paragraph 4(a), a complainant must prove each of the following to justify the transfer of a domain name:

(i) the 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 the domain name; and

(iii) the domain name was registered and is being used in bad faith.

Identical or confusingly similar

The Complainant has provided evidence and has thus established its rights in the VOLKSWAGEN trademark.

The Panel notes that a common practice has emerged under the Policy to disregard in appropriate circumstances the general Top-Level Domain ("gTLD") section of domain names for the purposes of the comparison under the Policy, paragraph 4(a)(i). The Panel sees no reason not to follow the same approach here, so it will disregard the ".com" gTLD section of the disputed domain names.

The disputed domain names incorporate the distinctive VOLKSWAGEN trademark in combination with the sequence "made-easy-by" or with the dictionary word "life", and the VOLKSWAGEN trademark is easily recognizable in each of them. As discussed in section 1.8 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (the "WIPO Overview 3.0"), where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. The nature of such additional terms may however bear on assessment of the second and third elements.

Taking the above into account, the Panel finds that the disputed domain names are confusingly similar to the VOLKSWAGEN trademark in which the Complainant has rights.

Rights and legitimate interests

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names, because there is no relationship between the Parties. The Complainant adds that e-mail accounts have been configured for the disputed domain names, and they have been used for the distribution of phishing e-mails. Thus, the Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent has not submitted a Response and has not provided an explanation of the reasons why it has registered the disputed domain names and how it intends to use them.

The disputed domain names incorporate the popular VOLKSWAGEN trademark of the Complainant in combination with other non-distinctive elements, and may well create an impression in Internet users that they are affiliated to the Complainant. The Complainant has submitted evidence that e-mail accounts at the disputed domain names have been used for the distribution of phishing e-mails. In the lack of any arguments or evidence to the contrary, the above leads the Panel to the conclusion that it is more likely than not that the Respondent, being well aware of the goodwill of the Complainant's VOLKSWAGEN trademark, has registered the disputed domain names targeting this trademark in an attempt to exploit its goodwill for phishing purposes by confusing Internet users that the disputed domain names are affiliated to the Complainant and that the correspondence that they receive from e-mail accounts at the disputed domain name originates from the Complainant. The Panel does not regard such conduct as giving rise to rights or legitimate interests in the disputed domain names.

Therefore, the Panel finds that the Respondent does not have rights or legitimate interests in the disputed domain names.

Bad faith

Paragraph 4(b) of the Policy lists four illustrative alternative circumstances that shall be evidence of the registration and use of a domain name in bad faith by a respondent, namely:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the 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 you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your 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 your website or location or of a product or service on your website or location."

The registration of the distinctive VOLKSWAGEN trademark predates by many years the registration of the disputed domain names, which are confusingly similar to it. This may well confuse Internet users that the disputed domain names are affiliated to the Complainant, and the Respondent has not provided any plausible explanation of its choice of domain names and of its plans how to use them. The Panel is therefore of the view that the Respondent is more likely to have registered the disputed domain names with

knowledge of the Complainant's trademark rights, with the intention of taking advantage of their goodwill for phishing purposes.

This satisfies the Panel that the disputed domain names have been registered and are being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **made-easy-by-volkswagen.com** : Transferred
2. **volkswagen-life.com**: Transferred

PANELLISTS

Name	**Assen Alexiev**

DATE OF PANEL DECISION 2025-10-23

Publish the Decision