Decision for dispute CAC-UDRP-108001

Case number	CAC-UDRP-108001
Time of filing	2025-09-29 09:34:31
Domain names	tecnicagroupusa.com, tecnicagroupus.com

Case administrator

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

Complainant

Organization	Tecnica Group S.p.A.

Complainant representative

Organization	Convey srl

Respondents

Organization	Northwest Insurance Group, Inc
Organization	Tecnica Group USA

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, inter alia, the following registered trademarks:

- United States word mark TECNICA with registration number 1515537 of December 6, 1988 for goods in class 25; and
- European Union device mark TECNICA GROUP with registration number 005041041 of January 9, 2008 for goods and services in classes 25, 35 and 41.

FACTUAL BACKGROUND

The Complainant is an Italian sport equipment manufacturer which was established in 1963. The Complainant acquired Nordica in 2002, making the Complainant one of the world's leading producers of ski boots. The following year, the Complainant broadened its product portfolio by acquiring inline skating manufacturer Rollerblade, and in 2006 it acquired Austrian ski manufacturer Blizzard. The Complainant has five subsidiaries and five direct agencies, which distribute products in 80 countries, and has a team of 4,000 employees working in 12 countries across Europe, North America, and Asia.

The disputed domain name <tecnicagroupusa.com> was registered by the Respondent Technica group USA on August 18, 2025 and the disputed domain name <tecnicagroupus.com> was registered by Respondent Northwest Insurance Group on August 29, 2025. The Complainant's allegation that both disputed domain names host mailboxes that were used for the purpose of impersonating the Complainant by using the Complainant's trademarks TECNICA GROUP and TECNICA in the content of phishing e-mails which were sent to unsuspecting recipients remained undisputed. When the Complainant discovered the Respondents' phishing activities, it sent two cease-and-desist letters to the Respondents on September 11, 2025, to which they did not respond.

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

1. Consolidation of the Respondents

The Complainant requested the disputed domain names and the named Respondents to be consolidated in a single UDRP proceeding. In its support of the request the Complainant alleged that the disputed domain names are subject to common control. The Complainant demonstrated that the disputed domain names (a) share the presence in each domain name of country names and/or codes after the trademarked denomination TECNICAGROUP, (b) were both registered in August 2025 with the same Registrar, and deploy the same fraudulent phishing scheme.

Previous UDPR panels have dealt with similar requests for consolidation of respondents, and the general panel view is, according to WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), paragraph 4.11.2: "Where a complaint is filed against multiple respondents, panels look at whether (i) the domain names or corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario."

In the proceeding at hand, the Panel finds for the Complainant's undisputed request to consolidate the Respondents. The Panel is satisfied that the Complainant sufficiently demonstrated that the disputed domain names of the different Respondents use the same characteristics and are both used to confirm an employment relationship with the Complainant and to obtain information from the job candidate. The Complainant's allegations remain unchallenged. The Panel infers from the foregoing that it is most probable that the different Respondents in this case are in fact one and the same, or at least under common control. The facts of the case justify consolidation, which the Panel finds fair and equitable to all parties.

Hereinafter, “Respondent” is used in the singular to refer to both Respondents in the consolidated proceedings.

2. The disputed domain names are confusingly similar to the Complainant's trademark

It is well established that the Top Level Domain (“TLD”) – in the present case “.com” – maybe disregarded in the assessment under paragraph 4(a)(i) of the Policy (section 1.11. of WIPO Overview 3.0).

Both disputed domain names incorporate the Complainant’s trademark TECNICA GROUP in its entity, and add a geographic term “usa” and “us”, respectively. Such additions do not prevent a finding of confusing similarity between the disputed domain names and the Complainant’s TECNICA GROUP trademark (WIPO Overview 3.0, paragraph 1.8).

3. The Respondent has no rights or legitimate interests in respect of the disputed domain names

The Complainant must make a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, which the Respondent may rebut (e.g., Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO Case No. D2003-0455).

The Panel takes note of the various allegations of the Complaint and in particular, that the Respondent is not a licensee, authorized agent of the Complainant or in any other way authorized to use Complainant’s TECNICA GROUP trademark, and more specifically, that the Respondent is not an authorized reseller of the Complainant and has not been authorized to the registration and use of the disputed domain names. The Panel finds that the Respondent's use of the disputed domain names as part of a recruitment fraud scheme are neither a bona fide offering of goods or services nor a legitimate non-commercial or fair use of the disputed domain names.

The Panel is therefore satisfied that the Complaint succeeded in making a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain names.

4. The disputed domain names have been registered and used in bad faith

The Panel is satisfied that it is clear that when the Respondent registered the disputed domain names, it must have had the Complainant and its TECNICA and TECNICA GROUP trademarks in mind, since the Complainant had registered the TECNICA and TECNICA GROUP trademarks long before the disputed domain names were registered, and before long after the registration of the disputed domain names the Respondent began using the disputed domain names to send out recruitment mails which allegedly impersonated the Complainant and the Complainant's human resources department contact, whose name and identity were used by the Respondent to conduct such activities.

It was incumbent upon the Respondent to provide an explanation for sending the recruiting emails from the disputed domain names in order to dispel the allegation of phishing. Because the Respondent did not submit a Response and therefore failed to provide such an explanation, the Panel finds that it is most probable that the Respondent used the disputed domain names for fraudulent activities, which constitutes use of the disputed domain names in bad faith (WIPO Overview 3.0, paragraph 3.4).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **tecnicagroupusa.com**: Transferred
2. **tecnicagroupus.com**: Transferred

PANELLISTS

Name	**Alfred Meijboom**

DATE OF PANEL DECISION 2025-11-01

Publish the Decision