Decision for dispute CAC-UDRP-108142

Case number	CAC-UDRP-108142
Time of filing	2025-11-18 09:43:47
Domain names	philips-poland.com

Case administrator

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

Complainant

Organization	Koninklijke Philips N.V.

Complainant representative

Organization	Coöperatie SNB-REACT U.A.

Respondent

Organization	philips-poland

OTHER LEGAL PROCEEDINGS

In CAC Case no. 108018 the Complainant previously disputed the domain name <philips-poland.com> in consolidation with <philipsconsultinggp.com>. However, the Panel in CAC Case no. 108018 was not convinced that the two disputed domain names were under common control and rejected the consolidation request. CAC Case no. 108018 was therefore terminated with regard to the domain name <philips-poland.com>. The Complainant has now filed a new complaint for this domain name.

IDENTIFICATION OF RIGHTS

The Complainant owns multiple trademark registrations for the word “PHILPS”, including:

- European Union trademark registration no. 000205971 for “PHILIPS” (word), registered on October 22, 1999, for goods and services in classes 3, 6, 7, 8, 9, 10, 11, 14, 16, 18, 20, 21, 25, 28, 35, 37, 38, 40, 41 and 42; and
- International trademark registration no. 310459 for “PHILIPS” (word), registered on March 16, 1966, for goods and services of classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 19, 20, 21, 28, 31 and 34.

The disputed domain name was registered on February 10, 2025, i.e., the Complainant’s trademark registrations cited above predate the registration of the disputed domain name.

FACTUAL BACKGROUND

The Complainant contends that “PHILIPS” is a famous brand and one of the most widely recognized identities in the world. The PHILIPS trademark is used for numerous products and services, including professional health products and services, consumer

electronics (TV, audio, accessories, projection apparatus, electronic locks, water purification products), personal care and baby products, lighting products, and domestic appliances.

The disputed domain name <philips-poland.com> used to resolve to a parking webpage of a website building tool. On February 25, 2025, the Complainant was informed by a customer that the disputed domain name had been used in a phishing attempt: The customer had received an e-mail from the disputed domain name in which the sender was impersonating a Philips employee and requested a change bank account details for payments due to the Customer.

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

The disputed domain name is confusingly similar to the Complainant’s trademark “PHILIPS”. Appending the geographical term “-poland” is not sufficient to escape the finding that the domain name is confusingly similar to the trademark “PHILIPS” as it does not alter the overall impression of the designation as being connected to the Complainant’s well-known trademark.

The Panel further finds that the Complainant successfully submitted prima facie evidence that the Respondent has neither made any use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor is making a legitimate non-commercial or fair use of the disputed domain name, nor is commonly known under the disputed domain name. This prima facie evidence was not challenged by the Respondent.

As to the third element of the Policy, it is consensus among UDRP panelists that the use of a domain name for a per se illegitimate activity such as phishing is manifest evidence of bad faith (cf. sections 3.1.4 and 3.4 of the WIPO Jurisprudential Overview 3.0). As the disputed domain has been used to fraudulently send at least one e-mail message intended to deceive its recipient, 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).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **philips-poland.com**: Transferred

PANELLISTS

Name	**Dr. Thomas Schafft**

DATE OF PANEL DECISION 2025-12-25

Publish the Decision