Decision for dispute CAC-UDRP-108165

Case number	CAC-UDRP-108165
Time of filing	2025-11-26 17:08:58
Domain names	thysenkrupp.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	thyssenkrupp AG

Respondent

Organization	Domain Name Privacy Inc.

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.

FACTUAL BACKGROUND

The Complainant, ThyssenKrupp AG, is a multinational industrial engineering and steel production company headquartered in Germany, and has global business operations and well-known worldwide.

The Complainant owns an international portfolio of trademark registrations for THYSSEN and THYSSENKRUPP (incl. several international and national trademark registrations).

The Complainant is also the registrant of numerous domain names containing its trademarks “thyssenkrupp”, “thyssen”, “krupp”. The Complainant maintains a strong online presence and operates its main webpage at “thyssenkrupp.com”, which it registered on December 5, 1996.

The disputed domain name <thysenkrupp.com> does not resolve to any active website.

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

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

Pursuant to paragraph 4(a) of the Policy, the Complainant must prove each of the following elements with respect to the disputed domain name in order to succeed in this proceeding:

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

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

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

Based on the evidence and arguments submitted, the Panel made the following findings:

A. Identical or Confusingly Similar

The Panel is satisfied that the Complainant has provided sufficient evidence that it has valid rights in its well-established THYSSENKRUPP trademark.

Regarding the confusing similarity, the Panel finds that the disputed domain name contains the entirety of the Complainant's trademark(s), besides for an "s", and that the generic Top-Level Domain ("gTLD"), which is ".com" in this case, is viewed as a standard registration requirement, and may as such be disregarded in the confusing similarity examination (see WIPO Overview 3.0, section 1.11.1).

As stated above, the Panel observes and agrees with the Complainant, that the only difference between the Complainant's trademark and the disputed domain name is the elimination of one "s" which is a minor typographical alteration. This kind of misspelling is commonly known as "typosquatting", which creates a strong likelihood of confusion among Internet users.

For all the above-mentioned arguments, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's trademarks, and hence, the Panel finds that the Complainant has satisfied the requirements of the first element under the Policy.

B. Rights or Legitimate Interests

Upon review of the facts and the evidence submitted in this proceeding, the Panel determines that the Complainant made a prima facie case based on the following points: i) the Respondent has never been authorized by the Complainant to register or use any of the Complainant's trademarks, nor has it been authorized to register or use any domain name incorporating the Complainant's trademark and/or company name, ii) the Respondent has no connection at all with the Complainant, and iii) there was no evidence that the Respondent has been or is commonly known by the disputed domain name.

Regarding the use of the disputed domain name, the Panel also notes the Complainant's contentions about the disputed domain name having been used to send phishing emails impersonating the Complainant in an attempt to deceive recipients. The Panel notes the evidence presented in this case and finds that such activity does not constitute a bona fide offering of goods or services nor a legitimate non-commercial or fair use under the UDRP, and specifically notes that "Panels have categorically held that the use of a domain name for illegal activity (e.g.…impersonation/passing off or other types of fraud) can never confer rights or legitimate interests on a
respondent." (WIPO Overview 3.0 section 2.13.1), as well as WIPO Case No. D2022-3784.

The Respondent did not reply to the Complainant's contentions.

In the absence of any response, and for all the aforementioned elements, the Panel finds that the Complainant has fulfilled the second element under paragraph 4(a) of the Policy.

C. Registered and Used in Bad Faith

The Complainant contends that the Respondent registered and is using the disputed domain name in bad faith.

According to all evidence brought in this proceeding, this Panel considers that the Respondent was aware of the Complainant's trademark and its services when it registered the disputed domain name. The Complainant's company name, trademarks and domain name(s) are well-known, globally. It is clear that the Respondent intentionally chose and registered a domain name confusingly similar to the Complainant's internationally renowned trademarks.

Moreover, the Respondent used the disputed domain name to send phishing emails impersonating the Complainant in an attempt to deceive recipients. With this behaviour, the Respondent engaged in a clear attempt at "cyber- and typosquatting", demonstrating a deliberate targeting of the Complainant's THYSSENKRUPP established rights. Conduct of this nature carries significant evidentiary weight in determining this issue.

The Panel agrees with the Complainant and concludes that the Respondent registered and used the disputed domain name primarily to exploit the Complainant's trademark (see also WIPO Overview 3.0, section 3.4).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **thysenkrupp.com**: Transferred

PANELLISTS

Name	**Laura Martin-Gamero Schmidt**

DATE OF PANEL DECISION 2026-01-27

Publish the Decision