Decision for dispute CAC-UDRP-108555

Case number	CAC-UDRP-108555
Time of filing	2026-04-13 09:40:53
Domain names	elevadoresatlasschindler.com

Case administrator

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

Complainant

Organization	INVENTIO AG

Complainant representative

Organization	Convey srl

Respondent

Name	Carolina Mariana da Mota

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 is the owner of several trademarks consisting of the word element "SCHINDLER", such as:

- International Trademark Registration for "SCHINDLER" No. 1265628 of May 1, 2015 in classes 6, 7, 9, 37, 38, 42, 45;
- International Trademark Registration for "SCHINDLER" No. 883565 of January 13, 2006 in classes 6, 7, 9, 16, 35, 37, 38, 42, 45;
- International Trademark Registration for "SCHINDLER" No. 1633618 of August 10, 2021 in classes 9, 10, 11, 17, 19, 21;
- UK Trademark Registration for "SCHINDLER" No. UK00002002660 of December 29, 1995 in classes 7, 9, 37;
- Brazil Trademark Registration for "SCHINDLER" No. 828195870 of July 1, 2008 in class 35;
- Brazil Trademark Registration for "SCHINDLER" No. 501633620 of August 10, 2021 in classes 9, 11, 19, 21, 10, 17;
- Brazil Trademark Registration for "SCHINDLER" No. 825795150 of July 28, 2009 in class 45; and
- Brazil Trademark Registration for "SCHINDLER" No. 820846600 of August 11, 1998 in class 9.

Furthermore, the Complainant operates, inter alia, the domain names <group.schindler.com> and <schindler.com.br> through its long-established Brazilian subsidiary Atlas Schindler.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

The Complainant is one of the world's leading manufacturers of escalators, moving walkways, and elevators. Originally active as a manufacturer of agricultural machinery, the company later began producing elevators and, in 1892, built its first electric elevator with a belt-drive system. Today, Schindler is present in over 100 countries, operates over 1,000 branches and employs more than 69,000 people worldwide.

In Brazil, the Complainant operates through its long-established subsidiary Atlas Schindler, which has been active in the country since 1918 and is today the national leader in the vertical transportation sector. Atlas Schindler manages two manufacturing plants located in Londrina and São Paulo, more than 10 branches and 150 service points across the country, supported by over 2,500 specialized technicians.

The SCHINDLER trademark has been recognized in Forbes Magazine's "Global 2000: Top Multinational Performers" (No. 912 in terms of market value), and Brand Finance recognized SCHINDLER in 2022 as the 22nd most valuable Swiss brand among the top 50 national brands.

The disputed domain name was registered by the Respondent on September 24, 2025. The disputed domain name resolved to a website displaying content that falsely suggested an association with the Complainant's Brazilian subsidiary Atlas Schindler, despite not being an authorized website of the Complainant.

The Complainant's representative submitted a cease-and-desist notice on March 27, 2026 through the contact form provided by the Registrar, as no direct contact details of the Respondent were available in the Whois records due to privacy protection. However, the Respondent did not provide any reply to this communication.

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

As the Respondent did not file an administratively compliant Response, pursuant to paragraph 14(b) of the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), the Panel may draw such inferences therefrom as it considers appropriate. Thus, the Panel accepts the contentions of the Complainant as admitted by the Respondent. Taking the statements and documents submitted by the Complainant under careful consideration, the Panel concludes that the Complainant has established all the elements entitling it to claim the transfer of the disputed domain name.

Identical or Confusingly Similar disputed domain name

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name to be 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.

The Complainant has, to the satisfaction of the Panel, shown that it has valid trademark rights in "SCHINDLER". The disputed domain name incorporates the Complainant's trademark in its entirety.

The disputed domain name consists of three components: (i) the Portuguese word "elevadores" (meaning "elevators"), directly referring to the Complainant's core business; (ii) "atlas", which is the historic and distinctive identifier of the Complainant's long-established Brazilian subsidiary Atlas Schindler; and (iii) "schindler", the Complainant's well-known and registered trademark.

The addition of the descriptive term "elevadores" and of the element "atlas" is not sufficient to avoid a finding of confusing similarity. On the contrary, the combination of these elements reinforces the confusing similarity, as it creates the overall impression of an official association with the Complainant and its Brazilian operations. The SCHINDLER trademark remains clearly recognizable within the disputed domain name.

Lastly, the addition of the gTLD suffix ".com" is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademarks and does not change the overall impression of the designation as being connected to the trademarks of the Complainant.

Respondent's Rights or Legitimate Interests in the disputed domain name

The Complainant has established a prima facie proof that the Respondent has no rights or legitimate interests in the disputed domain name, since the Respondent is not a licensee, distributor, or authorized representative of the Complainant, nor has the Complainant granted any permission or consent to use its trademarks in a domain name.

The publicly available Whois records showed that the registrant details of the disputed domain name were shielded by a privacy service ("Whois Privacy Protection Foundation"). Following the disclosure of the underlying registrant data by the Registrar in the course of these proceedings, there is no indication that the Respondent is or has ever been commonly known, as an individual, business, or organization, by the terms "elevadores", "atlas", "schindler", or any combination thereof.

Furthermore, the disputed domain name resolved to a website displaying content that falsely suggested an association with the Complainant's Brazilian subsidiary Atlas Schindler. Such impersonation of the Complainant and its subsidiary cannot constitute a bona fide offering of goods or services under the Policy and is incompatible with any legitimate interest in the disputed domain name. The website contained no disclaimer or other indication clarifying the absence of any relationship with the Complainant.

Moreover, such use of the disputed domain name cannot be considered legitimate non-commercial or fair use, as the Respondent is clearly attempting to exploit the reputation and goodwill associated with the Complainant's SCHINDLER trademarks by creating a false impression of affiliation.

In the absence of any evidence to the contrary, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

The disputed domain name has been registered and is being used in Bad Faith

The Respondent has registered and is using the disputed domain name in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

The Complainant's "SCHINDLER" trademark is well known and was already known at the time the disputed domain name was registered by the Respondent. The SCHINDLER trademark has been used since 1874 and enjoys a long-standing worldwide reputation in the field of escalators, moving walkways, and elevators. The disputed domain name was registered on September 24, 2025, i.e. more than 150 years after the Complainant first adopted and continuously used the SCHINDLER name.

In view of the distinctive character of the trademark and the reputation of the Complainant, in particular in Brazil where the Complainant's subsidiary Atlas Schindler has been operating continuously for more than a century, it can be assumed that the Respondent, who is based in Brazil, registered the disputed domain name in full knowledge of the Complainant's trademarks.

The deliberate incorporation of both "atlas" and "schindler" within the disputed domain name – two elements directly associated with the Complainant's identity in Brazil – combined with the descriptive Portuguese term "elevadores", clearly indicates an intention to target the Complainant's well-established Brazilian operations.

As noted in prior UDRP decisions, the registration of a domain name incorporating a well-known trademark constitutes strong evidence of bad faith (WIPO Decision No. D2000-0163 – Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.). Similarly, in Inventio AG v. DNS Admin, Buntai LTD, WIPO Case No. D2023-2468, the Panel expressly acknowledged the well-known character of the SCHINDLER trademark.

Furthermore, the disputed domain name resolved to a website that falsely suggested an association with the Complainant's Brazilian subsidiary Atlas Schindler. This demonstrates that the Respondent intentionally attempted to attract Internet users seeking the Complainant, its products, and its services, by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the website. Such conduct falls squarely within the circumstances of bad-faith use described in paragraph 4(b)(iv) of the Policy.

An additional indication of the Respondent's bad faith is its conduct following the Complainant's cease-and-desist notice. Despite being notified through the Registrar's contact form, the Respondent did not provide any reply. The Respondent's complete silence, combined with the impersonating use of the disputed domain name and the absence of any legitimate justification for its registration, reinforces the conclusion that the disputed domain name was registered and is being used in bad faith.

The Respondent has not provided any evidence of actual or contemplated good faith registration or use of the disputed domain name that could refute this prima facie assessment.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **elevadoresatlasschindler.com**: Transferred

PANELLISTS

Name	**Dominik Eickemeier**

DATE OF PANEL DECISION 2026-05-12

Publish the Decision