Decision for dispute CAC-UDRP-108592

Case number	CAC-UDRP-108592
Time of filing	2026-04-21 10:09:49
Domain names	warhamer.com

Case administrator

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

Complainant

Organization	Games Workshop Limited

Complainant representative

Organization	Convey srl

Respondent

Organization	EdenMedia

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 invokes various trademarks including the following:

- WARHAMMER, European Union trademark ('EUTM') No. 000022525 registered on February 19, 1999, covering goods and services in classes 9, 16 and 28;
- WARHAMMER, United States of America trademark No. 6192634 registered on November 10, 2020, covering goods and services in classes 2, 8, 9, 16, 18, 21, 25, 28, 35 and 41;
- 40K, EUTM No. 012108056 registered on May 8, 2014, covering goods and services in classes 9, 16 and 28.

FACTUAL BACKGROUND

The Complainant, Games Workshop Limited, was founded in the United Kingdom in 1975 and is a designer, manufacturer and retailer of tabletop miniature wargames. The company is best known as the creator and owner of the WARHAMMER brand.

The Complainant operates more than 570 company-owned Warhammer stores in approximately 24 countries and is supported by a network of over 8,000 independent authorized retailers operating in around 71 countries worldwide. The Complainant employs more than 3,000 people globally, serving an international customer base across Europe, the Americas, Asia-Pacific and other regions.

The Complainant is the owner of various registered trademarks including an EUTM mark WARHAMMER in various classes since 1999. The Complainant also operates domain names such as <warhammer.com>.

The disputed domain name <warhamer.com> has been registered on July 4, 2004 and appears to resolve to a parking page including pay-per-click ('PPC') links. According to the Complainant's evidence, the disputed domain name resolves or has resolved to other parking pages including PPC links or "for sale" offers over time.

On April 8, 2026, the Complainant sent a cease and desist letter to the email address indicated in the WHOIS records of the disputed domain name. Apparently, it received no response.

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

Paragraph 15 of the Rules provides that the Panel is to decide the complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

The onus is on the Complainant to make out its case and it is apparent, both from the terms of the Policy and the decisions of past UDRP panels, that the Complainant must show that all three elements set out in Paragraph 4 (a) of the Policy have been established before any order can be made to transfer a domain name. As the proceedings are administrative, the standard of proof is the balance of probabilities.

Thus, for the Complainant to succeed it must prove, within the meaning of Paragraph 4(a) of the Policy and on the balance of probabilities that:

1. The domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
2. The Respondent has no rights or legitimate interests in respect of the domain name; and
3. The domain name has been registered and is being used in bad faith.

The Panel has therefore dealt with each of these requirements in turn.

1. Identity of confusing similarity

The Complainant must first establish that there is a trademark or service mark in which it has rights. Since the Complainant shows to be the holder of the registered WARHAMMER trademark, which is used in connection with the Complainant's miniature wargames and entertainment business, it is established that there is a trademark in which the Complainant has rights.

The disputed domain name <warhamer.com> appears to be a misspelling of the Complainant's WARHAMMER trademark by removing one of the letters "m". The Panel finds that this small change does not prevent the disputed domain name from being confusingly similar to the Complainant's mark and may qualify as "typosquatting" (see section 1.9 of the WIPO Overview 3.1).

It is well established that the Top-Level Domains ("TLDs") such as ".com" may be disregarded when considering whether the disputed domain name is confusingly similar to the trademark in which the Complainant has rights (see section 1.11 WIPO Overview 3.1).

For these reasons, the Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark. Accordingly, the Complainant has made out the first of the three elements that it must establish.

2. No rights or legitimate interest

Under paragraph 4(a)(ii) of the Policy, the Complainant has the burden of establishing that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

It is established case law that it is sufficient for the Complainant to make a prima facie showing that the Respondent has no right or legitimate interest in the disputed domain name in order to shift the burden of proof to the Respondent (see section 2.1 WIPO Overview 3.1 and Champion Innovations, Ltd. V. Udo Dussling (45FHH), WIPO case No. D2005-1094; Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO case No. D2003-0455; Belupo d.d. v. WACHEM d.o.o., WIPO case No. 2004-0110).

The Panel notes that the Respondent does not seem to be commonly known by the disputed domain name and that the Respondent has not acquired trademark or service mark rights. According to the information provided by the Registrar, the Respondent is known as "Karl Schnurch" from the organisation "EdenMedia". The Respondent's use and registration of the disputed domain name was not authorized by the Complainant. There are no indications that a connection between the Complainant and the Respondent existed.

Fundamentally, a respondent's use of a domain name will not be considered "fair" if it falsely suggests affiliation with the trademark owner. The correlation between a domain name and the complainant's mark is often central to this inquiry. In this case, given the distinctive character of the Complainant's mark, the Panel finds that the disputed domain name can be considered as a typosquatted version of the mark as it simply removes one letter. The disputed domain name is also almost identical to the Complainant's domain name <warhammer.com> linked to the Complainant's official website, which further increases the risk of implied affiliation.

Beyond looking at the domain name and the nature of any additional terms appended to it, UDRP panels assess whether the overall facts and circumstances of the case, such as the absence of a response, support a fair use or not (see sections 2.5.2 and 2.5.3 of the WIPO Overview 3.1).

The disputed domain name resolves to a parking page including PPC links directly referring to the Complainant's WARHAMMER and 40K marks, as well as to products of the Complainant or its business. According to evidence provided by the Complainant, the disputed domain name resolves or has resolved to other similar parking pages including PPC links or "for sale" offers over time. In the Panel's view, this does not amount to any legitimate noncommercial or fair use or use in connection with a bona fide offering of goods and services.

The Respondent had the opportunity to demonstrate its rights or legitimate interests but did not do so. In the absence of a Response from the Respondent, the prima facie case established by the Complainant has not been rebutted.

Therefore, the Panel finds that the Complainant has established that the Respondent has no rights or legitimate interests in the disputed domain name. In light of the above, the Complainant succeeds on the second element of the Policy.

3. Bad faith

The Complainant must prove on the balance of probabilities that the disputed domain name was registered in bad faith and that it is being used in bad faith (see section 4.2 WIPO Overview 3.1 and e.g. Telstra Corporation Limited v. Nuclear Marshmallow, WIPO Case No. D2000-0003; Control Techniques Limited v. Lektronix Ltd, WIPO Case No. D2006-1052).

According to the Panel, the awareness of a respondent of the complainant and/or the complainant's trademark rights at the time of registration can evidence bad faith (see Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz, WIPO Case No. D2011-2209; Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite, WIPO Case No. D2001-1070).

In the instant case, the Panel finds that the Respondent must have had knowledge of the Complainant's rights in the WARHAMMER

trademark at the moment it registered the disputed domain name, since the disputed domain name is identical to the Complainant's distinctive WARHAMMER trademark except for one letter. The Complainant invokes a trademark which predates the disputed domain name by more than 5 years. The disputed domain name also appears to have resolved to multiple parking pages containing PPC links directly referring to the Complainant's business and trademarks.

The Panel further holds that the misspelling of the Complainant's mark in the disputed domain name is a form of typosquatting which is further evidence of bad faith (ESPN, Inc. v. XC2, WIPO Case No. D2005-0444; WestJet Airlines Ltd. v. Taranga Services Pty Ltd, WIPO Case No. D2010-1814; and Compagnie Générale des Etablissements Michelin v. Terramonte Corp, Domain Manager, WIPO Case No. D2011-1951).

Moreover, according to the Complainant's evidence, the Respondent has engaged in a pattern of trademark-abusive domain name registrations, being involved in numerous UDRP proceedings in which the transfer of the Respondent's domain names was ordered. This constitutes additional evidence of the Respondent's bad faith (see section 3.1.2 WIPO Overview 3.1).

Finally, the Respondent did not formally take part in the administrative proceedings. According to the Panel, this serves as an additional indication of the Respondent's bad faith.

Therefore, the Panel finds that, on the balance of probabilities, it is sufficiently shown that the disputed domain name was registered and is being used in bad faith. In light of the above, the Complainant also succeeds on the third and last element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **warhamer.com**: Transferred

PANELLISTS

Name	**Flip Petillion**

DATE OF PANEL DECISION 2026-05-27

Publish the Decision