# Decision for dispute CAC-UDRP-108686

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| Case number | **CAC-UDRP-108686** |
| Time of filing | **2026-06-18 10:02:10** |
| Domain names | **porsche.ing** |

## Case administrator

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| Name | **Olga Slanařová (Case admin)** |

## Complainant

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| Organization | **Dr. Ing. h.c. F. Porsche AG** |

## Complainant representative

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| Organization | **UNIT4 IP Rechtsanwälte, Stolz Stelzenmüller Weiser Grohmann Partnerschaft mbB Rechtsanwälte** |

## Respondent

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| Name | **Lionel Beier** |

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 owns numerous registered trademarks worldwide consisting of or incorporating the word “Porsche”. The trademarks and company name/trade name “Porsche” are well-known and enjoy a reputation of the highest quality and excellence. “Porsche” is protected by national and international trademark registrations worldwide. This includes, inter alia, the European Union and Switzerland. Some of these trademarks owned by the Complainant are listed below, by way of example:

- European Union Trademark No. 73098 - PORSCHE, reg. December 12, 2000, international classes 3, 8, 9, 12, 14, 16, 18, 21, 24, 25, 28, 34, 35, 36, 37, 39, 42;
- European Union Trademark No. 18117298 - PORSCHE, reg. January 9, 2020, international classes 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 16, 18, 20, 21, 24, 25, 26, 27, 28, 33, 34, 35, 36, 37, 39, 41, 42, 43;
- European Union Trademark No. 11737368 - PORSCHE, reg. August 26, 2013, international classes 1, 2, 4, 5, 6, 7, 10, 11, 13, 15, 17, 19, 20, 22, 23, 26, 27, 29, 30, 31, 32, 33, 38, 40, 41, 43, 44, 45;
- IR trademark No. 562572 - PORSCHE, reg. October 27, 1990, international classes 12, 42;
- IR trademark No. 639048 - PORSCHE, reg. March 13, 1995, international classes 3, 8, 9, 14, 16, 18, 21, 24, 25, 28, 33, 34;
- IR trademark No. 640976 - PORSCHE, reg. July 13, 1995, international classes 36, 37, 39, 42;
- IR trademark No. 657048 - PORSCHE, reg. January 27, 1996, international classes 36, 39, 42;
- IR trademark No. 1862517 - PORSCHE, reg. April 2, 2025, international classes 7, 9, 11, 12, 14, 16, 18, 25, 27, 28, 35, 36, 37, 39;
- IR trademark No. 1556674 - PORSCHE, reg. July 13, 2020, international classes 5, 10, 11;
- IR trademark No. 179928 - PORSCHE, reg. October 8, 1954, international classes 7, 8, 12;
- Canadian trademark No. 117102 - PORSCHE, reg. March 4, 1960, international class 12.

The Complainant also owns, inter alia, the domain name porsche.com (registered 1996) and operates the website www.porsche.com under this domain with special sections devoted to national or regional audiences all over the world, including Switzerland.

FACTUAL BACKGROUND

Complainant has been a manufacturer of the iconic and world-famous "Porsche" sports cars for more than 75 years, using “Porsche” as the prominent and distinctive part of its company name/trade name.

Porsche sports cars and further products/services (e.g. car parts, accessories, repair services etc.) are distributed/offered worldwide.

Accordingly, the Complainant owns numerous registered trademarks worldwide consisting of or incorporating the word “Porsche”. The trademarks and company name/trade name “Porsche” are well-known and enjoy a reputation of highest quality and excellence. “Porsche” is protected by national and international trademark registrations worldwide. This includes, inter alia, the European Union and Switzerland.

The Complainant also owns, inter alia, the domain name porsche.com (registered 1996) and operates the website www.porsche.com under this domain name.

The disputed domain name is not in use. It does not resolve to an active website. The domain name is only being "parked".

The Complainant has not authorised the Respondent to register or use the PORSCHE mark and has no business or other relationship with the Respondent.

On May 8, 2026, the Respondent contacted the Complainant and its representatives regarding the disputed domain name and offered to transfer or sell it to the Complainant.

In a subsequent communication, the Respondent informed the Complainant that he also owned the domain <porscheflachbau.ch> and offered that domain name to the Complainant. That domain name was registered on May 10, 2026 and likewise did not resolve to an active website.

In the Response, the Respondent stated that he was also associated with the domain 911turbo.ch, which redirects to a subdomain of <beier-immo.ch>.

The Respondent offered to transfer the disputed domain name and the domain <porscheflachbau.ch> in return for EUR 600, which the Respondent characterises as reimbursement of documented registration costs. No invoices, registrar receipts or other documentation substantiating these alleged costs were submitted with the Response.

The Respondent submitted a Response, contending that he had rights or legitimate interests in the disputed domain name and that it had neither been registered nor used in bad faith. The Complainant subsequently submitted an unsolicited supplemental filing addressing new allegations raised in the Response, including the Respondent’s claimed status as a Porsche enthusiast, his alleged operation of the website at 911turbo.ch, and his request for reimbursement of alleged registration costs. Exercising its discretion under paragraphs 10 and 12 of the Rules, the Panel admitted and considered both submissions in the interests of procedural fairness.

PARTIES CONTENTIONS

## A. Complainant

The Complainant contends that the disputed domain name is identical to its PORSCHE mark.

It submits that the Respondent has no rights or legitimate interests in the disputed domain name because:

- the Respondent has not been authorised to use the PORSCHE mark;
- the Respondent is not commonly known by the disputed domain name;
- the disputed domain name has never been used for a bona fide offering of goods or services;
- no genuine noncommercial fan site has been operated under the disputed domain name; and
- the Respondent has offered the disputed domain name for sale to the Complainant.

The Complainant further submits that the Respondent registered and is using the disputed domain name in bad faith. It relies particularly on the fame of the PORSCHE mark, the Respondent’s admitted knowledge of the Complainant, his registration of several domain names incorporating the Complainant’s marks, and his offers to transfer the domain names against payment.

The Complainant requests transfer of the disputed domain name.

## B. Respondent

The Respondent claims to be a longstanding Porsche enthusiast and customer who has owned multiple Porsche vehicles, including a Porsche 911 Turbo. The Respondent operates also the website 911turbo.ch, which reflects in his view his genuine personal interest in the Porsche brand.

The disputed domain name was registered as part of the Respondent's legitimate interest in the .ing TLD as a Porsche owner and enthusiast — not with any intent to profit from the trademark or cause confusion.

On May 8, 2026, prior to receiving any cease-and-desist letter from the Complainant, the Respondent proactively contacted Porsche AG and the Complainant's representatives at Unit4IP to propose a voluntary transfer of the domain name. This demonstrates in the view of Respondent that the Respondent acted in good faith from the outset. The Respondent States that the disputed domain name has never been deployed, developed, or used in connection with any commercial activity. No website, content, advertising, or service has ever been associated with the disputed domain name. The Respondent has never attempted to impersonate Porsche AG, divert customers, or tarnish the trademark. The disputed domain name was passively held pending an amicable resolution. The Respondent has consistently offered to transfer the disputed domain name voluntarily at a price reflecting documented registration costs only, demonstrating good faith throughout the proceedings.

Under the UDRP Policy, bad faith requires in the view of Respondent evidence of intent to profit illegitimately, disrupt business, or deceive consumers. None of these elements are present here:

- The Respondent did not register the domain to sell it at an inflated price to a competitor of Porsche AG
- The Respondent did not register the domain to prevent Porsche AG from reflecting its trademark
- The Respondent did not register the domain to disrupt Porsche AG's business
- The Respondent did not use the domain to attract users for commercial gain

The Respondent's proactive outreach to Porsche AG prior to any legal action is inconsistent with bad faith registration.

The Respondent respectfully requests that the Panel deny the Complaint and find that the disputed domain name should remain registered to the Respondent.

Alternatively, the Respondent remains willing to transfer the disputed domain name to the Complainant in exchange for reimbursement of documented registration costs (EUR 600 for both porsche.ing and porscheflachbau.ch), as proposed prior to these proceedings.

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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).

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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).

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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).

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PROCEDURAL FACTORS

## A. Late Response

The Complainant submits that the Response should be disregarded because it was filed after the applicable deadline.

Paragraph 10 of the Rules gives the Panel broad authority to conduct the proceeding in such manner as it considers appropriate, subject to the requirements that the Parties be treated with equality, that each Party is given a fair opportunity to present its case, and that the proceeding take place with due expedition. Paragraph 10(d) further authorises the Panel to determine the admissibility, relevance, materiality and weight of the evidence.

In this proceeding, it does not matter, if the Response was filed late, the Panel considers that admitting it will not cause material delay or unfair prejudice to the Complainant. The Complainant has had an opportunity to address the Response through its supplemental filing.

The Panel therefore admits the Response.

### B. The Complainant's Supplemental Filing

Unsolicited supplemental filings are generally discouraged. Under paragraphs 10 and 12 of the Rules, however, a Panel may admit a supplemental filing where it addresses material matters that could not reasonably have been anticipated in the original pleading.

The Respondent relied for the first time in the Response on his alleged status as a Porsche owner and enthusiast, his alleged operation of a fan website through 911turbo.ch, and his contention that the requested EUR 600 represented only documented registration costs. Those matters were not fully apparent from the information available to the Complainant when the Complaint was filed.

The supplemental filing directly addresses those allegations. In the interests of procedural equality, the Panel therefore admits the supplemental filing to the extent that it responds to new material contained in the Response.

The Panel does not, however, rely on speculative allegations that the Respondent is a "professional cybersquatter" or probably owns additional trademark-abusive domain names for which no evidence has been submitted.

The Panel is satisfied that all other procedural requirements under the Policy, the Rules and the CAC Supplemental Rules have been met.

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PRINCIPAL REASONS FOR THE DECISION

### A. Identical or Confusingly Similar

The Complainant has established registered rights in the PORSCHE mark.

The disputed domain name consists of the PORSCHE mark in its entirety, followed by the gTLD ".ing". The gTLD is ordinarily disregarded in the comparison under paragraph 4(a)(i) of the Policy.

The second-level portion of the disputed domain name is therefore identical to the Complainant's trademark.

The Panel finds that the Complainant has satisfied paragraph 4(a)(i) of the Policy.

### B. Rights or Legitimate Interests

The Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The burden of production therefore shifts to the Respondent, while the ultimate burden of proof remains with the Complainant.

The Respondent does not claim to have been authorised by the Complainant or to be commonly known by the name "Porsche". Nor has he acquired independent trademark or other rights in that designation.

The Respondent relies principally on his alleged status as a Porsche owner and enthusiast. Even if the Respondent has owned several Porsche vehicles and has a genuine personal interest in them, this does not by itself confer a right or legitimate interest in a domain name that is identical to the Complainant's famous trademark.

A genuine noncommercial fan site may, in appropriate circumstances, support rights or legitimate interests under paragraph 4(c)(iii) of the Policy. However, the Respondent has not used the disputed domain name for a fan site or submitted evidence of demonstrable preparations to do so.

The disputed domain name has remained inactive. The Respondent has not provided a proposed website, dated development materials, content drafts or other contemporaneous evidence of preparations for legitimate noncommercial use.

Moreover, a domain name identical to a complainant's trademark carries a high risk of implied affiliation. Here that risk is particularly pronounced because the disputed domain name consists exclusively of PORSCHE and the gTLD ".ing". In the circumstances of this case, ".ing" may also reinforce an association with the Complainant's full corporate name, "Dr. Ing. h.c. F. Porsche AG".

The Respondent's reliance on <911turbo.ch> does not establish rights or legitimate interests in the disputed domain. The two domain names must be assessed separately. Even assuming that the Respondent operates genuine noncommercial Porsche-related content through other domains, that circumstance would not authorise him to register every other domain name corresponding to the Complainant's marks.

The Respondent's admitted offer to transfer the disputed domain name against payment also does not establish a legitimate noncommercial interest. The assertion that the amount requested represents documented registration costs is unsupported by any

documentary evidence.

The Panel therefore concludes that the Respondent has not rebutted the Complainant's prima facie case.

The Complainant has satisfied paragraph 4(a)(ii) of the Policy.

## C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy identifies non-exhaustive circumstances evidencing bad-faith registration and use.

The Panel has no difficulty concluding that the Respondent knew of the Complainant and its PORSCHE trademark when he registered the disputed domain name. The Respondent expressly describes himself as a longstanding Porsche customer and enthusiast. His selection of PORSCHE was therefore deliberate and specifically directed at the Complainant's trademark.

Knowledge of a trademark alone does not necessarily establish bad faith. The Panel must consider the purpose of the registration and the Respondent's subsequent conduct.

### 1. Offer to transfer the disputed domain name

The Respondent contacted the Complainant without having received a cease-and-desist letter and proposed a transfer of the disputed domain name. Proactive contact with a trademark owner does not necessarily demonstrate good faith. Depending on the circumstances, it may instead support an inference that the domain name was registered primarily for sale to the trademark owner.

The Respondent's communications did not constitute an unconditional or gratuitous consent to transfer. He requested payment and continues to condition the transfer upon payment of EUR 600 for the disputed domain name and the domain porscheflachbau.ch.

Paragraph 4(b)(i) of the Policy refers to registration primarily for the purpose of selling or transferring a domain name to the trademark owner for valuable consideration exceeding the respondent's documented out-of-pocket costs directly related to the domain name.

Although the Respondent describes the requested amount as reimbursement of documented costs, he has not submitted any invoices, registrar confirmations or other evidence showing that he incurred EUR 600 in costs directly related to the two domain names. The mere use of the word "documented" in a pleading does not constitute documentation.

The absence of supporting evidence is especially material because the relevant registration costs are facts primarily within the Respondent's knowledge and control.

### 2. Respondent's other Porsche-related registrations

The Respondent registered not only the disputed domain name, but also the domain <porscheflachbau.ch>. He subsequently brought both domain names to the Complainant's attention and sought payment for their transfer.

The Respondent also admits an association with the domain <911turbo.ch>. The terms "911" and "Turbo", particularly when used together, directly refer to a well-known Porsche vehicle model. This further confirms that the Respondent's domain-name registrations were selected because of their association with the Complainant and its products.

The Panel need not determine whether the domain <911turbo.ch> independently infringes the Complainant's rights. That domain name is not the subject of this proceeding. It is relevant, however, to evaluating the credibility of the Respondent's explanation and the pattern of conduct surrounding the disputed domain name.

The simultaneous or closely connected holding of several domain names corresponding to the Complainant's distinctive marks and products, followed by offers directed to the Complainant, is inconsistent with the claim that the disputed domain name was registered merely as an innocent expression of enthusiasm.

The record therefore supports the conclusion, on the balance of probabilities, that the Respondent registered the disputed domain name primarily with a view to transferring it to the Complainant against payment. This constitutes bad faith under paragraph 4(b)(i) of the Policy.

The registration of multiple Porsche-related domain names also supports a finding of a pattern of conduct within the meaning of paragraph 4(b)(ii) of the Policy.

### 3. Passive holding

The fact that the disputed domain name has not been used for an active website does not prevent a finding of bad-faith use. Under the passive-holding doctrine established in Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003, the Panel must examine the totality of the circumstances.

The relevant circumstances include:

- PORSCHE is a highly distinctive and internationally famous mark;
- the disputed domain name is identical to that mark;
- the Respondent admittedly knew of the Complainant and deliberately selected its mark;
- the Respondent has not provided evidence of any actual or contemplated good-faith use of the disputed domain name;

- an identical domain name carries a substantial risk of implied affiliation;
- the Respondent registered other domain names specifically associated with the Complainant and its products; and
- the Respondent offered the disputed domain name and another Porsche-related domain name to the Complainant against payment.

The Panel gives limited weight, standing alone, to the Respondent's use of a privacy service. Privacy services may be used for legitimate reasons. Similarly, the fact that an Internet search did not verify the Respondent's name or address would not, without more, establish that the registration data were false. These matters are therefore not necessary to the Panel's conclusion.

Considering the totality of the evidence, however, the Panel finds no plausible contemplated use of the disputed domain name by the Respondent that would be both genuine and consistent with the Policy. The continued passive holding of the disputed domain name in these circumstances constitutes bad-faith use.

The Respondent's assertion that he did not impersonate the Complainant, divert customers or operate a commercial website does not alter this conclusion. Paragraph 4(b) contains a non-exhaustive list of bad-faith circumstances. The Complainant is not required to prove every example listed there.

The Panel finds that the disputed domain name was registered and is being used in bad faith. The Complainant has therefore satisfied 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. **porsche.ing**: Transferred

## PANELLISTS

| Name | **Jan Schnedler** |
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DATE OF PANEL DECISION 2026-07-21

Publish the Decision