

Decision for dispute CAC-UDRP-108986

Case number	CAC-UDRP-108986
Time of filing	2026-09-16 10:30:29
Domain names	siemens-healthineers.icu, siemens-healthineers.bond

Case administrator

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

Complainant

Organization	Siemens Trademark GmbH & Co. KG
--------------	---------------------------------

Respondent

Name	wa ha ha
------	----------

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 names.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of International registered trademarks "SIEMENS", n° 637074, registered on March 31, 1995, and "SIEMENS Healthineers" (figurative), n° 1357232, registered on October 25, 2016.

FACTUAL BACKGROUND

The Complainant, Siemens Trademark GmbH & Co. KG, is a trademark holding company which licenses its trademarks within the Siemens Group, which includes Siemens Healthineers AG, a manufacturer of medical equipment.

The disputed domain names <siemens-healthineers.icu> and <siemens-healthineers.bond> were both registered on September 4, 2026. Before being taken down, they resolved to a website displaying the Complainant's figurative "SIEMENS Healthineers" mark and stating: "A Medical Supplies Company, Manufacturer and Distributor".

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain names should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

As set out below, the Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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 names (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 names have been registered and are 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(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy requires that the complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- (1) the domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (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.

In view of the Respondent's failure to submit a response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint; however, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Jurisprudential Overview 3.1 at paragraph 4.3; see also *eGalaxy Multimedia Inc. v. ON HOLD By Owner Ready To Expire*, FA 157287 (Forum June 26, 2003) ("Because Complainant did not produce clear evidence to support its subjective allegations [. . .] the Panel finds it appropriate to dismiss the Complaint").

As to the first element, the Complainant has shown that it has rights in the SIEMENS word mark and the SIEMENS Healthineers figurative mark. The Panel finds the disputed domain names <siemens-healthineers.icu> and <siemens-healthineers.bond> to be confusingly similar to both of those marks because they incorporate the word mark and the text of the figurative mark in their entirety, in the former case adding a hyphen and the word "healthineers", and in the latter case substituting a hyphen for the space between the words, which differences do nothing to distinguish the domain names from the marks. The inconsequential top-level domains ".icu" and ".bond" may be ignored under this element. The Complainant has established this element.

As to the second element, paragraph 4(c) of the Policy sets out three illustrative circumstances as examples which, if established by the respondent, shall demonstrate rights to or legitimate interests in a domain name for the purposes of paragraph 4(a)(ii) of the Policy, i.e.

- (i) before any notice to the respondent of the dispute, the use by the respondent of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
- (ii) the respondent (as an individual, business or other organization) has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or
- (iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert customers or to tarnish the trademark or service mark at issue.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names

because the Respondent has never been authorised to use the Complainant’s marks; has no connection with the Complainant; and has not been commonly known by the domain names. Before being taken down at the Complainant’s behest, the domain names hosted fraudulent websites that impersonated Siemens Healthineers AG. This cannot be a legitimate non-commercial or fair use of the domain names.

These circumstances, together with the Complainant’s assertions, are sufficient to constitute a prima facie showing of absence of rights or legitimate interests in respect of the disputed domain names on the part of the Respondent. The evidentiary burden therefore shifts to the Respondent to show that it does have rights or legitimate interests in the disputed domain names. See JUUL Labs, Inc. v. Dryx Emerson / KMF Events LTD, FA1906001849706 (Forum July 17, 2019). The Respondent has made no attempt to do so.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Complainant has established this element.

As to the third element, paragraph 4(b) of the Policy sets out four illustrative circumstances, which, though not exclusive, shall be evidence of the registration and use of a domain name in bad faith for purposes of paragraph 4(a)(iii), including:

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

The circumstances set out above in relation to the second element satisfy the Panel that the Respondent was fully aware of the Complainant’s SIEMENS and SIEMENS Healthineers marks when the Respondent registered the disputed domain names and that the Respondent has used them to impersonate Siemens Healthineers AG. Further, that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent’s websites, by creating a likelihood of confusion with the Complainant’s marks as to the source of the Respondent’s websites and of the goods promoted on those websites. This demonstrates registration and use in bad faith under paragraph 4(b)(iv) of the Policy. The Complainant has established this element.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

- 1. **siemens-healthineers.icu**: Transferred
- 2. **siemens-healthineers.bond**: Transferred

PANELLISTS

Name	Alan Limbury
------	--------------

DATE OF PANEL DECISION 2026-10-09

Publish the Decision