Decision for dispute CAC-UDRP-109039

Case number	CAC-UDRP-109039
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Domain names	schneiderelectric-usa.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	SCHNEIDER ELECTRIC SE

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	he jxing

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 several trademarks for the term "SCHNEIDER ELECTRIC" including:

The international trademark SCHNEIDER ELECTRIC n° 715395 registered on March 15, 1999;
The international trademark SCHNEIDER S ELECTRIC n° 715396 registered on March 15, 1999;
The European trademark SCHNEIDER ELECTRIC n° 001103803 registered on March 12, 1999.

FACTUAL BACKGROUND

The Complainant, Schneider ElectricElectric SE founded in 1871, is a French industrial business trading internationally. It is a global energy technology leader that manufactures and offers products for power management, automation, and related solutions that drive efficiency and sustainability by electrifying, automating, and digitalizing industries, businesses, and homes. Its technologies enable buildings, data centers, factories, infrastructure, and grids to operate as open, interconnected ecosystems, enhancing performance, resilience, and sustainability by electrifying, automating, and digitalizing industries, businesses, and homes.

The Complainant's corporate website can be found at www.schneider-electric.com. The Complainant is featured on the NYSE Euronext and the French CAC 40 stock market index. In 2025, its revenues amounted to 40 billion euros in 2025. The disputed domain name <schneiderelectric-USA.com> was registered on April 22, 2026.

PARTIES CONTENTIONS

No administratively compliant Response has been filed.

COMPLAINT

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

The Complainant contends that the Disputed Domain Name, which resolves to a website displaying the Complainant's name and trademark, impersonates its core business in promoting network equipment. It further contends that the Disputed Domain Name is confusingly similar to the Complainant's mark, the sole difference being the addition of "-USA." It contends further that the Respondent lacks rights or legitimate interests in the Disputed Domain Name in that it was registered and is being used without the Complainant's authority or permission. The Complainant concludes by asserting that the Respondent registered and is using the Disputed Domain Name in bad faith in that by impersonating the Complainant it misleads consumers into the false belief that the resolving website is an official website of the Complainant.

RESPONDENT:

The Respondent has not appeared formally or informally to controvert the evidence submitted by the Complainant.

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(a) of the Rules for the UDRP ('the Policy') 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."

Pursuant to Paragraph 4(a) of the Policy the Complainant is required to prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

(i) the domain name registered by respondent is identical or confusingly similar to a trademark or service mark in which complainant has rights; and
(ii) respondent has no rights or legitimate interests in respect of the domain name; and
(iii) 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 and adduced proof 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 and inferences set forth in the Complaint as true unless the evidence is clearly contradictory. See Vertical Solutions Mgmt., Inc. v. webnet-marketing, inc., Forum Claim No. FA 95095 (holding that the respondent's failure to respond allows all reasonable inferences of fact in the allegations of the complaint to be deemed true); see also Talk City, Inc. v. Robertson, WIPO Claim No. D2000-0009 ("In the absence of a response, it is appropriate to accept as true all [reasonable] allegations of the Complaint.").

Identical or Confusingly Similar to a Mark in which Complainant has a Right

The Complainant has established that it has rights in the word mark SCHNEIDER ELECTRIC by providing the Panel with the evidence that it has an International registration for its mark and claims without contradiction that it has registered trademarks in other jurisdictions. The Panel notes that a national or an international trademark registration is sufficient to establish rights in that mark. WIPO Overview, 3.1, Sec. 1.2 (“Where the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case.”). As such, the Panel finds that the Complainant has established that is has a right in the word mark SCHNEIDER ELECTRIC.

The second part of the test under this first element is to establish that the Disputed Domain Name is identical or confusingly similar to SCHNEIDER ELECTRIC. WIPO Overview, 3.1, Sec. 1.7 (“ This test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name.”). The Panel observes that the single difference is that the Respondent moves the dash and adds the geographical term USA to form <schneiderelectric-usa.com>. See WIPO Overview, 3.1, Sec. 1.8 ("Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.")

The addition of the gTLD ".com" has no impact on the overall impression of the dominant portion of the disputed domain name. It is simply a functional element of a domain name. See WIPO Overview, 3.1, Sec. 1.11 ("The applicable Top Level Domain (“TLD”) in a domain name (e.g., “.com”, “.club”, “.nyc”) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test."

Accordingly, Complainant has satisfied Paragraph 4(a)(i) of the Policy.

Determining Whether Respondent Lacks rights or legitimate interests in the Disputed Domain Name

To establish the second of the three elements, the Complainant must first demonstrate that Respondent lacks rights and legitimate interests in the disputed domain name. See Advanced International Marketing Corporation v. AA-1 Corp, Forum Claim No. FA 780200 (finding that a complainant must offer some evidence to make its prima facie case and satisfy Policy paragraph 4(a)(ii). Recognizing that the proof for establishing this element is under the Respondent's control, the Complainant's may satisfy this burden by offering a prima facie case based on such evidence as there is, thus shifting the burden to the Respondent to produce evidence to overcome the presumption that it lacks rights or legitimate interests in the Disputed Domain Name.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; that it did not authorize the Respondent to register or use a domain name virtually corresponding its trademark. It further asserts that it has no business relationship with Respondent that would justify its registration of <schneiderelectric-usa.com>. In support of these assertions, the Complainant shows that the Respondent is not using the domain name for any bona fide use, nor can it claim to be known by the name "Schneider Electric" as its registration name in the Whois databaseis HE JXING. See Skechers U.S.A., Inc. and Skechers U.S.A., Inc. II v. Chad Moston / Elite Media Group <bobsfromsketchers.com> NAF Case No. FA 1781783, ("Here, the WHOIS information of record identifies Respondent as "Chad Moston / Elite Media Group.") The Panel therefore accepts Complainant's offer that Respondent is not commonly known by the disputed domain name under Policy 4(c)(ii).”). Finally, Complainant has adduced sufficient evidence that based on the use of the Disputed Domain Name the Respondent is not using it for any noncommercial or fair use. See Croatia Airlines d. d. v. Modern Empire Internet Ltd., WIPO Case No. D2003-0455 (the Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests.

Once such prima facie case is made, as it is here, the burden of production shifts to the Respondent to demonstrate that it has rights or legitimate interests in the domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a) (ii) of the Policy. A respondent has the opportunity to controvert this prima facie by demonstrating that it has rights or legitimate interests. Paragraph 4(c) of the Policy sets forth the following nonexclusive list of factors:

(i) [B]efore any notice to you of the dispute, your use 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.

(ii) [Y]ou (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights.

(iii) [Y]ou are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Evidence of any one of these defenses will satisfy the rebuttal burden, but the absence of any evidence supports a complainant's contention that the respondent lacks rights or legitimate interests in the disputed domain name. The failure of a party to submit evidence on facts in its possession and under its control may permit the Panel to draw an adverse inference regarding those facts. See Mary-Lynn Mondich and American Vintage Wine Biscuits, Inc. v. Shane Brown, doing business as Big Daddy's Antiques, WIPO

Case No. D2000=0004.

Here, the Disputed Domain Name is virtually identical to the Complainant's mark except for the addition of the geographic indicator "-USA". Such an addition does not support a right or legitimate interest in a disputed domain name, and the Panel so finds in this matter. See Emerson Electric Co. v. golden humble /golden globals, FA 1787128 (Forum June 11, 2018) ("lack of evidence in the record to indicate a respondent is authorized to use [the] complainant's mark may support a finding that [the] respondent does not have rights or legitimate interests in the disputed domain name per Policy ¶ 4(c)(ii)").

As there is no evidence to the contrary, the Panel finds that the Complainant has satisfied Paragraph 4(a)(ii) of the Policy.

Registration and Use in Bad Faith

It is the Complainant's burden under Paragraph 4(a)(iii) of the Policy to prove that the Respondent both registered and is using the Disputed Domain Name in bad faith. It is not sufficient for a complainant to rest its case on the finding under Paragraph 4(a)(ii) of the Policy, although the fact that the Respondent lacks rights or legitimate interests in the Disputed Domain Name may be a factor in assessing its motivation for registering a domain name that except for the addition of a geographical term is virtually identical to the Complainant's mark.

Paragraph 4(b) of the Policy provides a non-exclusive list of circumstances that evidence registration and use of a domain name in bad faith. Any one of the following is sufficient to support a finding of bad faith:

(i)circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of the complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

The Complainant's proof in this case focuses the Panel's attention on the fourth factor. As there is no proof that would support the other factors, the Panel will not address them. Here, the Complainant contends that the Respondent has targeted the Complainant's mark for the purpose of taking advantage of its goodwill and reputation to attract Internet users to its website. This conduct "creat[es] a likelihood of confusion [...] as to the source, sponsorship, affiliation, or endorsement of [its] website". Such a strategy is intended to mislead Internet users into believing that the website is in fact the Complainant’s website and, in this case, encourages them to click one or other of two active buttons for more information – Talk to an Expert and View Publications. See Justice for Children v. R neetso / Robert W. O'Steen, WIPO Case No. D2004-0175 (holding that "harm results from the confusion caused by the initial attraction to the site by means of borrowing complainant's mark. And that is exactly the harm the Policy was adopted to address.") As there could be other harms in activating these links, the Panel resisted the invitation to “talk to an expert” or “view publications” to avoid harms that may already have been inflicted on consumers. See WIPO Overview 3.1, Sec. 3.4 hosting a website "can include a range of bad faith activity or scams such as sending email, phishing, identity theft, or malware distribution."

The preamble to Paragraph 4(b) states: "For the purposes of Paragraph 4(a)(iii) [the finding of any of the circumstances] shall be evidence of the registration [...] of a domain name in bad faith." In the absence of a respondent to explain and justify its registration and use of a domain name corresponding to a famous or well-known mark, a Panel is compelled to examine the limited record for any exonerative evidence of good faith. Here, the Panel finds none. The Respondent has appropriated a well-known mark to serve an infringing and possibly fraudulent purpose. See Royal Bank of Canada - Banque Royale Du Canada v. Registration Private, Domains By Proxy, LLC / Randy Cass, WIPO Case No. D2019-2803 (Noting: "It is clear that where the facts of the case establish that the respondent's intent in registering or acquiring a domain name was to unfairly capitalize on the complainant's [...] trademark, panels have been prepared to find the respondent acted in bad faith.")

The evidence here is such that the only inference that can be drawn from the registration and use of a domain name virtually identical to Complainant's website impersonating Complainant's core business that the Respondent is using it to harm the Complainant and consumers. See Singapore Airlines Ltd. v. European Travel Network, WIPO Claim No. D2000-0641 (holding that " [t]he registration of domain names obviously relating to the Complainant is a major pointer to the Respondent's bad faith and desire to 'cash in' on the Complainant's reputation."

For these reasons, the Panel finds that the Respondent registered and is using the Disputed Domain Name in bad faith.

Accordingly, Complainant has 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. **schneiderelectric-usa.com**: Transferred

PANELLISTS

Name	**Gerald Levine Ph.D, Esq.**

DATE OF PANEL DECISION 2026-09-27

Publish the Decision