Decision for dispute CAC-UDRP-109037

Case number	CAC-UDRP-109037
Time of filing	2026-10-19 11:05:24
Domain names	siemensmiddleeast.com

Case administrator

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

Complainant

Organization	Siemens Trademark GmbH & Co. KG

Respondent

Organization	EK City

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 has submitted evidence, which the Panel accepts, showing that it is the registered owner of “SIEMENS” trademarks, inter alia, the following:

- International trademark “SIEMENS” no. 637074, registered on March 31, 1995;
- European Union trademark “SIEMENS” (word mark with a colour claim in the Complainant’s distinctive petrol/teal colour), 019061749 registered on January 14, 2025; and
- International trademark “SIEMENS” (word mark with a colour claim in the Complainant’s distinctive petrol/teal colour), 1864612, registered on January 16, 2025.

Moreover, the Complainant and the Siemens Group are also the owners of domain names bearing the sign “SIEMENS”, including <siemens.com> and <siemens-advanta.com>.

FACTUAL BACKGROUND

The Complainant, Siemens Trademark GmbH & Co. KG, is a subsidiary of Siemens Aktiengesellschaft and acts as the trademark holding company licensing trademarks within the Siemens Group. Founded more than 175 years ago and headquartered in Berlin and Munich, the Siemens Group is one of the world’s largest technology corporations, active in 190 countries with a turnover of 75.9 billion Euro in 2024 and employing more than 310,000 people worldwide.

The disputed domain name <siemensmiddleeast.com> was registered on September 6, 2026. Although the disputed domain name does not resolve to a standalone active website, the Respondent has actively used the e-mail address m.iftikhar@siemensmiddleeast.com to impersonate a purported procurement representative ("Mansoor Iftikhar Farooqui") of "Siemens / Siemens Advanta" in the Middle East.

PARTIES CONTENTIONS

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COMPLAINANT:

THE DISPUTED DOMAIN NAME IS CONFUSINGLY SIMILAR

The Complainant states that the disputed domain name <siemensmiddleeast.com> incorporates its famous and globally recognized trademark “SIEMENS” in its entirety, merely adding the descriptive/geographic term “middleeast”. The Complainant asserts that the addition of a geographic term does not prevent a finding of confusing similarity where the trademark remains clearly recognizable; rather, it reinforces the false impression that the domain name designates an official regional branch or division of the Siemens Group in the Middle East. Furthermore, the Complainant notes that the Respondent compounded this confusion by reproducing the Complainant's protected colour- claimed word mark in its email signature, and that the generic Top-Level Domain (“.com”) may be disregarded for the purpose of assessing confusing similarity.

NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is neither affiliated with the Complainant nor has it ever been a representative, employee, or licensee authorized to use the “SIEMENS” trademark or its registered colour- claimed word mark. Furthermore, the Respondent is not commonly known by the disputed domain name and hides its identity behind a WHOIS privacy service. Instead of making a bona fide offering of goods or services or a legitimate non-commercial or fair use, the Respondent is using the disputed domain name exclusively to impersonate the Complainant and solicit fraudulent deposit payments from third parties. This claim of impersonation is reinforced by using e-mail signature reproducing the Complainant’s trademarks with their distinctive registered color, together with the Complainant’s registered domain names, without any right to use any of them. It was also emphasized that the Complainant’s “SIEMENS” trademarks are reputed, by also referring to past panel decisions determining such reputation, and the Respondent must be aware of their existence.

Consequently, it was claimed that the Respondent has not used or is not using the disputed domain name in connection with bona fide offering of goods or services or a legitimate non-commercial or fair use.

THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS USED IN BAD FAITH

The Complainant indicates that the “SIEMENS” trademark enjoys a massive global reputation established decades prior to the registration of <siemensmiddleeast.com> on September 6, 2026. Therefore, the Respondent clearly registered the disputed domain name with full knowledge of the Complainant’s earlier trademark rights, specifically pairing “SIEMENS” with “middleeast” to take predatory advantage of the Siemens Group's regional presence.

Regarding bad faith use, the Complainant submits evidence showing that the Respondent actively used the e-mail address m.iftikhar@siemensmiddleeast.com — complete with the Complainant’s protected colour–claimed word mark, genuine domain references, and fabricated PDF vendor registration forms—to defraud companies such as Researchbods/STRAT7 by requesting a mandatory deposit payment. The Complainant concludes that such deliberate fraudulent impersonation and financial deception unequivocally establish registration and use in bad faith.

RESPONDENT:

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 and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In this context, the Panel also notes that the burden of proof is on the Complainant to make out its case and past UDRP panels have consistently said that a Complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:

- the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

- the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore deal with each of these requirements in turn.

1. IDENTICAL OR CONFUSINGLY SIMILAR

The Policy requires the Complainant to demonstrate that the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. The Panel is satisfied that the Complainant is the registered owner of “SIEMENS” trademarks.

The Panel finds that the disputed domain name <siemensmiddleeast.com> is confusingly similar to the Complainant’s “SIEMENS” trademark. It incorporates the “SIEMENS” mark in its entirety, and the mere addition of the geographical term “middleeast” is not sufficient to prevent a finding of confusing similarity. On the contrary, given that the Siemens Group conducts substantial business operations globally and in the Middle East, the term “middleeast” increases the likelihood of association by suggesting an official regional branch of the Complainant. Moreover, the addition of the gTLD “.com” is a standard technical requirement and does not dispel the confusing similarity.

The Panel is of the opinion that Internet users and business partners will easily fall into the false impression that the disputed domain name is an official domain name belonging to the Complainant. Therefore, the Panel concludes that the requirements of paragraph 4(a)(i) of the Policy have been satisfied.

2. NO RIGHTS OR LEGITIMATE INTERESTS

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. Once the Complainant makes out a prima facie case, the burden of production shifts to the Respondent to demonstrate rights or legitimate interests under paragraph 4(c) of the Policy, such as:

(i) before any notice to the Respondent of the dispute, the use of, or demonstrable preparations to use, the domain name in connection with a bona fide offering of goods or services; or

(ii) the Respondent has been commonly known by the domain name; or

(iii) the Respondent is making a legitimate non-commercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers.

The Complainant has established a strong prima facie case that the Respondent has no relationship with, license from, or authorization by the Complainant to use the “SIEMENS” mark and is not commonly known by the disputed domain name. Crucially, the evidence on record demonstrates that the Respondent has used the disputed domain name to send fraudulent e-mails impersonating a Siemens procurement officer in an attempt to extract an illicit deposit payment from a third-party company.

Past UDRP panels have consistently held that the use of a domain name for illegal activity—such as impersonation, phishing, or advance-fee fraud—can never confer rights or legitimate interests on a respondent. As the Respondent failed to file a Response to rebut the Complainant's contentions, 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.

3. BAD FAITH

Under paragraph 4(a)(iii) of the Policy, the Complainant must establish that the disputed domain name has been registered and is being used in bad faith.

The Panel concludes that the Complainant's “SIEMENS” trademark is of distinctive character and is well-known in its sector. Therefore, the Panel is of the opinion that due to the earlier rights of the Complainant in well-known “SIEMENS” trademark, the Respondent, was aware of the Complainant and its trademark at the time of registration of the disputed domain names (see e.g., Ebay Inc. v. Wangming, WIPO Case No. D2006-1107). Referring to Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net, WIPO Case No. D2000-0226, the Panel believes that the awareness of the Complainant’s trademark at the time of the registration of the disputed domain names is to be considered an inference of bad faith registration.

Given the worldwide fame and distinctiveness of the “SIEMENS” trademark, which was registered decades before the registration of <siemensmiddleeast.com> on September 6, 2026, it is inconceivable that the Respondent was unaware of the Complainant’s rights when registering the disputed domain name. The deliberate combination of the famous mark “SIEMENS” with the geographic term “middleeast” demonstrates that the Respondent had the Complainant specifically in mind and intended to create a false impression of regional affiliation.

Besides, although there is no present use of the disputed domain name, it is clear that the Respondent will not be able to make any good faith use of the disputed domain name as part of an e-mail address and the actual fraudulent e-mails sent by using the e-mail extension/signature block of the disputed domain name unlawfully reproducing the Complainant’s registered colour – claimed work mark in its e-mail signature and sending falsified Siemens vendor forms to solicit a mandatory deposit payment from a prospective vendor for phishing purposes shows the use in bad faith without a doubt. The fact that an actual fraud happened, a scam reported by a third party is also considered important.

The Respondent did not provide any evidence of any possible good faith use of the disputed domain name. The Respondent’s data being shielded is also considered.

All the circumstances of the case must be examined to determine whether the Respondent is acting in bad faith. The cumulative circumstances for an indication of bad faith include the Complainant having a well-known trademark, no response having been filed, and the registrant’s hiding data, as well as the previous fraudulent uses, which all happened in this case. All evidence and all the above circumstances point out to clear bad faith.

Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith within the meaning of 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. **siemensmiddleeast.com**: Transferred

PANELLISTS

Name	**Mrs Selma Ünlü**

DATE OF PANEL DECISION 2026-11-20

Publish the Decision