

ADMINISTRATIVE PANEL DECISION

Knorr-Bremse AG v. Brown Criuse, PRIMA INDO TUNA
Case No. D2025-2690

1. The Parties

The Complainant is Knorr-Bremse AG, Germany, represented by Bettinger Scheffelt Partnerschaft mbB, Germany.

The Respondent is Brown Criuse, PRIMA INDO TUNA, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <knorr-brense.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 8, 2025. On July 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 16, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (John Doe) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on July 22, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 20, 2025.

The Center appointed Tommaso La Scala as the sole panelist in this matter on September 2, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a renowned German developer and manufacturer of braking systems for rail and commercial vehicles established in 1905 and operating for more than 100 years, with more than 19,000 employees and a worldwide turnover of EUR 4.3 billion.

The Complainant is the owner of several trademarks, including:

- International Registration no. 726778 KNORR-BREMSE (word), registered on October 20, 1999, for classes 7, 9, 11, 12, 37 and 41, designating various jurisdictions;
- International Registration no. 1483795 KNORR-BREMSE (word), registered on March 8, 2019, for classes 7, 9, 11, 12, 35, 37, 38, 40, 41 and 42, designating various jurisdictions.

The Complainant is also the owner of several domain names which include the trademark KNORR-BREMSE, such as the domain name <knorr-bremse.com>, registered in 1997.

The disputed domain name was registered on July 10, 2025 and does not resolve to an active webpage.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant affirms that the disputed domain name is confusingly similar to the Complainant's KNORR-BREMSE trademark, as it entirely reproduces it, with the mere replacement of the letter "m" with the letter "n".

The Complainant submits that the Respondent is neither a licensee of the Complainant nor is he affiliated with the Complainant in any way. The Complainant says that it has not authorised the Respondent to make any use of its KNORR-BREMSE trademark. The Complainant says that there is no evidence to suggest that the Respondent is commonly known by the disputed domain name, as intended under paragraph 4(c)(ii) of the Policy.

Lastly, the Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith, as the latter is passively held and the Respondent had or should have had knowledge of the Complainant's trademark and business at the time of their registration, given the reputation of the KNORR-BREMSE trademark.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the KNORR-BREMSE trademark is reproduced within the disputed domain name, with the mere replacement of the letter "m" with the letter "n" in the "bremse", which makes the disputed domain name a clear example of typosquatting. Indeed, the Panel finds such replacement does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.9.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a *prima facie* case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's *prima facie* showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel finds that the Respondent had the KNORR-BREMSE trademark in mind while registering the disputed domain name, as it exactly reproduces it, with the mere replacement of one letter.

Moreover, the Respondent has not offered an explanation for registering a domain name incorporating a misspelling of the KNORR-BREMSE trademark. Noting the reputation of the Complainant's mark and its longstanding use, the failure of the Respondent to submit a response and its use of false contact details in the registration details of the disputed domain name, which prevented the courier from dispatching the

Center's written communication, the Panel finds the passive holding of the disputed domain names does not prevent a finding bad faith in the circumstances of this case.

For the above reasons, based on the available record, the Panel finds that the third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <knorr-brense.com> be transferred to the Complainant.

/Tommaso La Scala/

Tommaso La Scala

Sole Panelist

Date: September 16, 2025