

ADMINISTRATIVE PANEL DECISION

Wüsthof Dreizack GmbH & Co. KG v. 唐想 (Xiang Tang)
Case No. D2026-0334

1. The Parties

The Complainant is Wüsthof Dreizack GmbH & Co. KG, Germany, represented by McDermott Will & Schulte Rechtsanwälte Steuerberater LLP, Germany.

The Respondent is 唐想 (Xiang Tang), China.

2. The Domain Name and Registrar

The disputed domain name <wusthof.top> is registered with Chengdu West Dimension Digital Technology Co., Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on January 27, 2026. On January 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 29, 2026, 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 (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 29, 2026, 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 in Chinese and English on February 3, 2026.

On January 29, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On February 3, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on February 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 3, 2026.

The Center appointed Rachel Tan as the sole panelist in this matter on March 16, 2026. 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 company which, together with its affiliates, produces cutlery and similar products and sells same in more than 80 countries worldwide, including the European Union, the United Kingdom, the United States of America, and China.

The Complainant owns numerous trademark registrations for WÜSTHOF and WUSTHOF (without an umlaut), including:

- European Union Trademark Registration No. 001233873 WÜSTHOF, registered on July 21, 2000;
- Japanese Trademark Registration No. 2004-352717 WUSTHOF, registered on July 29, 2005;
- German Figurative Trademark Registration No. 302019110069  registered on October 16, 2019.

The Complainant owns domain names incorporating its WÜSTHOF and WUSTHOF trademarks, including <wusthof.com>, registered on November 2, 1998, and <wusthof.cn>, registered on June 7, 2006. The Complainant has been using both domain names as its official websites.

The Respondent is based in China. The disputed domain name was registered on November 21, 2025. Presently, the disputed domain name resolves to an inactive website. According to the Complainant's evidence, the disputed domain name previously resolved to a website displaying the Complainant's WÜSTHOF trademark and allegedly selling and offering the Complainant's WÜSTHOF products.

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.

Notably, the Complainant contends that the disputed domain name incorporates the Complainant's WÜSTHOF and WUSTHOF trademarks in its entirety. The German umlaut "ü" does not exist in English and cannot be used within a domain name. Hence, the disputed domain name is identical or confusingly similar to the Complainant's WÜSTHOF and WUSTHOF trademarks.

The Complainant further contends that the Respondent has not used the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. The Respondent is not authorized or endorsed by the Complainant. The Respondent used the disputed domain name to set up a fake shop pretending to either be identical to the Complainant or at least authorized to act on behalf of the Complainant. By using the disputed domain name as described, the Respondent intentionally tries to attract, for illegitimate commercial gain, Internet users by creating a likelihood of confusion with the Complainant, and to obtain credit card and contact information from unsuspecting Internet

users. Moreover, the Respondent is not commonly known by the disputed domain name and does not have any prior rights in respect of the disputed domain name. In addition, the Respondent's passive holding of the disputed domain name and failure to provide complete or accurate contact information are indicative of bad faith.

The Complainant finally contends that the Complainant's trademarks significantly predate the registration of the disputed domain name and are widely known and recognized worldwide. Therefore, the Respondent was aware of or should have known the Complainant and its trademarks when registering the disputed domain name. The Respondent's use of the disputed domain name is with the intention to confuse Internet users who are looking for the Complainant's official products by impersonating the Complainant, and to obtain credit card and contact information from unsuspecting Internet users. Therefore, the Respondent uses the disputed domain name in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issues – Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was initially filed in English. Although the Complainant subsequently submitted the amended Complaint in both English and Chinese, the Complainant requested that the language of the proceeding be English on the ground that the website associated with the disputed domain name displayed English content, which indicates that the Respondent is able to understand English.

The Respondent did not make any specific submissions with respect to the language of the proceeding. In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see [WIPO Overview of WIPO Panel Views on Select UDRP Questions](#) ("[WIPO Overview 3.1](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the WÜSTHOF and WUSTHOF trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The new generic Top-Level Domain ("New gTLD") ".top" as a standard registration requirement should be disregarded in the assessment of identity and confusing similarity under the Policy.

The dominant component of the disputed domain name is “wusthof”, which reproduces the Complainant’s WUSTHOF trademark in its entirety, and the textual element of the WÜSTHOF trademark (while the letter “ü” is replaced by the letter “u”), without any additional elements. Accordingly, the disputed domain name is identical or confusingly similar to the Complainant’s WÜSTHOF and WUSTHOF trademarks. [WIPO Overview 3.1](#), sections 1.7.

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 that 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 3.1](#), section 2.1.

The information in the case file shows that:

- the Respondent is not affiliated with the Complainant in any way, and the Complainant has not authorized the Respondent to use its WÜSTHOF and WUSTHOF trademarks for any reason or in any manner;
- there is no evidence proving that the Respondent holds any trademark rights corresponding to the disputed domain name, or has been commonly known by the disputed domain name;
- the disputed domain name currently resolves to an inactive website but previously resolved to a website displaying the Complainant’s WÜSTHOF trademark and allegedly selling and offering the Complainant’s WÜSTHOF products without any prominent and accurate explanation of the relationship (or lack thereof) between the Parties. Such use of the disputed domain name indicates the Respondent’s intention to divert Internet traffic to the website associated with the disputed domain name by confusing the relationship between the website associated with the disputed domain name and the Complainant, which cannot be deemed as a bona fide offering of goods or services or a legitimate noncommercial or fair use;
- the nature of the disputed domain name, solely incorporating the Complainant’s WUSTHOF trademark, and being identical to the Complainant’s prior domain names <wusthof.com> and <wusthof.cn>, carries a high risk of implied affiliation with the Complainant; and
- no other factors demonstrate any rights or legitimate interests of the Respondent in the disputed domain name.

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 notes that the disputed domain name was registered long after the registration of the Complainant's WÜSTHOF and WUSTHOF trademarks. According to the Complainant's evidence, the Panel accepts that the Complainant's WÜSTHOF and WUSTHOF trademarks have been well established in numerous jurisdictions and are well recognized in the industry of cutlery and related products. The Respondent registered the disputed domain name that fully incorporates the Complainant's WUSTHOF trademark and the textual element of the WÜSTHOF trademark (the letter "ü" is replaced by the letter "u"), and resolved the disputed domain name to a website displaying the Complainant's WÜSTHOF trademark and allegedly selling and offering the Complainant's WÜSTHOF products. The Panel determines that the Respondent had actual knowledge of the Complainant and the WÜSTHOF and WUSTHOF trademarks at the time of registering the disputed domain name, and bad faith is found.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

The disputed domain name resolves to an inactive website at the time of Decision but was once used to host a website displaying the Complainant's WÜSTHOF trademark and allegedly selling and offering the Complainant's WÜSTHOF products. The Panel holds that by selecting a domain name identical or confusingly similar to the Complainant's WÜSTHOF and WUSTHOF trademarks, and using it in the manner as described, the Respondent obviously intended to attract, for commercial gain, Internet users to the disputed domain name and the associated website by creating a likelihood of confusion with the Complainant's WÜSTHOF and WUSTHOF trademarks as to the source, sponsorship, affiliation, or endorsement of the website associated with the disputed domain name, which constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Given the Respondent's previous use of the disputed domain name, the current non-use of the disputed domain name does not prevent the Panel's finding of the Respondent's bad faith.

The Panel finds that the Complainant has established the third element of the Policy.

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 <wusthof.top> be transferred to the Complainant.

/Rachel Tan/

Rachel Tan

Sole Panelist

Date: March 30, 2026