

ADMINISTRATIVE PANEL DECISION

Dr. August Oetker Nahrungsmittel KG, Dr. August Oetker KG v. Robert Strander

Case No. D2026-0569

1. The Parties

The Complainants are Dr. August Oetker Nahrungsmittel KG, Germany, and Dr. August Oetker KG, Germany, internally represented.

The Respondent is Robert Strander, Germany.

2. The Domain Name and Registrar

The disputed domain name <droetker.group> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 11, 2026. On February 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 12, 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 (Privacy Protection Service by HOSTINGER operations, UAB) and contact information in the Complaint. The Center sent an email communication to the Complainants on February 12, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amendment to the Complaint on February 13, 2026.

The Center verified that the Complaint together with the amendment to the 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 February 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 9, 2026.

The Center appointed Tobias Malte Müller 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 Complainants Dr. August Oetker Nahrungsmittel KG (Complainant 1) and Dr. August Oetker KG (Complainant 2) are part of the Oetker Group, and describe the Oetker Group as one of the largest family-owned companies in Europe with a history dating back to 1891, when it was founded by the pharmacist Dr. August Oetker.

The Oetker Group consists of 350 companies with around 29,000 employees worldwide and yearly sales revenue of almost EUR 7 billion in its three business divisions.

The Complaint is based amongst others on the following trademark registered by the Complainant 1: European Union Trade Mark registration number 000979765 for DR. OETKER (word) filed on November 6, 1998 and registered on December 5, 2000 for goods in classes 1, 5, 16, 21, 29, 30, and 32.

The Respondent registered the disputed domain name on December 15, 2025. The disputed domain name redirects to the Complainant 2's official website at "www.oetker-gruppe.de".

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend that

- (1) the disputed domain name is identical to the surname of the Complainants' founder, identical to the predominant element "Dr. Oetker" in the Complainants' company names, and identical to the trademark DR. OETKER;
- (2) the Respondent has no rights or legitimate interests in the disputed domain name. In particular, it does not bear the name "Oetker" or "Dr. Oetker". Further, the Complainants have not authorized the Respondent to use the Complainants' trademarks or the predominant elements "Dr. Oetker" of their company names nor to seek the registration of a domain name incorporating said trademarks and/or company name elements. Hence, the Respondent never gained a legitimate position to use and/or register the disputed domain name;
- (3) the Respondent's registration and use of the disputed domain name constitute bad faith. The Respondent knew of the Complainants, their products, and trademarks prior to registering the disputed domain name. There is no relationship between the Complainants and the Respondent. It is likely that the disputed domain name was registered for phishing purposes and for committing fraud. It is well established that use of a domain name in connection with phishing activities is an indication of bad faith use. Finally, no plausible actual or contemplated active use of the disputed domain name by the Respondent is conceivable that would not be illegitimate.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

6.1. Procedural issues: Consolidation of the Complainants

The Complaint was filed by both Dr. August Oetker Nahrungsmittel KG and Dr. August Oetker KG, related corporate entities.

As set forth in section 4.11.1 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”): “In assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.”

In the light of the above, the Panel finds that the two Complainants have a specific common grievance against the Respondent because they allege a corporate connection. Against this background, the Panel does not see reasons why a consolidated Complaint brought by the Complainants against a single Respondent would not be fair and equitable. Moreover, the Respondent failed to come forward with any allegations or evidence to object to the consolidation. For reasons of procedural efficiency, fairness, and equity the Panel therefore accepts the joint Complaint. Therefore, throughout the remainder of the current Decision, the Panel will refer to both the Complainants as “the Complainant”.

6.2 Substantive issues

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted and 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 the Complainant to prove each of the following three elements in order to obtain an order that the disputed domain name be transferred:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

Almost the entirety of DR. OETKER mark is reproduced within the disputed domain name, except for the dot after “Dr” which does not alter the overall confusingly similar impression. The Panel finds the mark DR. OETKER is clearly recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The applicable Top-Level Domain (“TLD”) in a domain name (here: “.group”) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1. The practice of disregarding the TLD in determining identity or confusing similarity is applied irrespective of the particular TLD (including with regard to “new gTLDs”). [WIPO Overview 3.1](#), section 1.11.2.

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.

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.

First, it results from the Complainant’s uncontested evidence that the disputed domain name redirects to the Complainant’s official group website and therefore giving the false appearance of being linked to the Complainant, which is, however, not the case as the Complainant undisputedly confirmed. In this Panel’s view, such use cannot be qualified as a bona fide offering of goods or services in accordance with paragraph 4(c)(i) of the Policy, since such use is likely to mislead Internet users. In addition, the Respondent did not submit any evidence of bona fide pre-Complaint preparations to use the disputed domain name. In particular, the Complainant’s uncontested allegations demonstrate that it has not authorized or licensed the Respondent to use the DR. OETKER trademark for registering the disputed domain name which is confusingly similar to the Complainant’s trademark.

Second, the Panel notes that there is no evidence in the record or Whois information showing that the Respondent might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

Third, the Panel notes that there is no evidence in the record either showing that the Respondent might be making a noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark at issue pursuant to paragraph 4(c)(iii) of the Policy. In particular, the Panel considers it obvious that the disputed domain name which (almost) entirely incorporates the trademark DR. OETKER (except for the dot after the element “DR”) carries a high risk of implied affiliation. In addition, the redirection to the Complainant’s official group website effectively impersonates or suggests sponsorship or endorsement of the disputed domain name by the Complainant.

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.

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. One of these circumstances that the Panel finds applicable to the present dispute is that the Respondent by using the disputed domain name, 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 its website or location or of a product or service on its website or location (paragraph 4(b)(iv) of the Policy).

It is the view of this Panel that these circumstances are met in the case at hand:

In the present case, the Panel notes that the disputed domain name, which contains the Complainant's trademark DR. OETKER almost identically (except for the dot after the element "DR"), redirects to the Complainant's official group website at "www.oetker-gruppe.de". Panels have found redirecting to a complainant's website to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark (see [WIPO Overview 3.1](#), section 3.1.4).

Furthermore, and in the absence of any evidence to the contrary, the Panel is convinced that the Respondent positively knew the Complainant's trademark and website, when registering the disputed domain name and redirecting it to the Complainant's official group website. Registration of a domain name which contains a third party's trademark, in awareness of said trademark and in the absence of rights or legitimate interests is suggestive of registration in bad faith (see e.g., *Boursorama S.A. v. James Boone, BooneSolutions*, WIPO Case No. [D2023-2052](#) with further references). Finally, the above findings of bad faith registration and use is supported by the following further circumstances resulting from the case at hand:

- (i) the distinctiveness of the Complainant's trademark DR. OETKER which has been used for over one century before the date the Respondent registered the disputed domain name;
- (ii) the fact that the details disclosed for the Respondent by the Registrar appear to be faulty;
- (iii) the Respondent's failure to submit a formal response or any evidence of actual or contemplated good-faith use; and
- (iv) the implausibility of any good faith use to which the disputed domain name may be put.

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 <droetker.group> be transferred to the Complainant 1 (Dr. August Oetker Nahrungsmittel KG).

/Tobias Malte Müller/

Tobias Malte Müller

Sole Panelist

Date: March 30, 2026