

ADMINISTRATIVE PANEL DECISION

**PerMix Tec. Co. Ltd. of China, PerMix North America LLC v. Name Redacted
Case No. D2026-3327**

1. The Parties

The Complainants are PerMix Tec. Co. Ltd. of China, China, and PerMix North America LLC, United States of America ("United States"), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <permixtec.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 28, 2026. On July 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 30, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainants on July 31, 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 amended Complaint on August 6, 2026.

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").

¹ The Panel notes the Complainants have made a request to redact the name of the Respondent from the Decision noting that the identified registrant is one of the Complainants' founders. In the circumstances of this case, the Panel grants the Complainants' request and authorizes the Center to transmit Annex 1 to the Registrar as part of the Decision in this proceeding and directs that Annex 1 should not be published due to the exceptional circumstances of this case.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on August 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 31, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on September 3, 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.

On September 25, 2026, the Center informed the Parties of an extension to the decision due date to September 30, 2026.

4. Outstanding Procedural Issues

A. Consolidation of Complaints

The two named Complainants are associated companies, and the Panel is satisfied that (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: WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.11.1.

The two named Complainants are referred to collectively as the "Complainant" in the remainder of this Decision.

B. Identity of Respondent

Paragraph 1 of the Rules defines the Respondent as "the holder of a domain-name registration against which a complaint is initiated." Typically that party will comprise the registrar-disclosed registrant of the disputed domain name, or alternatively some other party who may be shown to be its beneficial owner. However, the Panel retains discretion as to the identity of the Respondent (see [WIPO Overview 3.1](#), section 4.4.5).

In this case, according to the Registrar verification report dated July 30, 2026, the Registrar-disclosed registrant of the disputed domain name remains a named founding principal individual of the Complainant, who was the original registrant of the disputed domain name. The matter is complicated somewhat by an email sent by the Registrar to the Complainant on April 3, 2026, stating that the Respondent was not the relevant account holder. However, the Registrar did not expressly indicate that the Respondent was not the registrant. While the account holder may be the person with actual control of the disputed domain name, this does not alter the identity of the registrant of the disputed domain name for the purposes of the UDRP.

Since the Registrar-disclosed registrant remains the Respondent, and there is no evidence before the Panel of any other beneficial owner of the disputed domain name, the Panel finds that the Respondent remains the proper respondent in the case, notwithstanding any continuing connection between that individual and the Complainant, or the fact that the account holder appears to be another individual who may be the only one to have effective control of the disputed domain name.

These circumstances also have a significant bearing on the determination of the Complainant, as is further discussed below.

5. Factual Background

The Complainant is registered in China and in the United States, also doing business in Europe and in India under the name and trademark PERMIX. It is a manufacturer of industrial mixers, specializing in custom powder blenders, paste kneaders and liquid agitators.

The Complainant is the proprietor of United States trademark registration number 6794903 for the word mark PERMIX, registered on July 19, 2022 (with a “First Use Anywhere” date of July 6, 1995) in International Class 7.

The disputed domain name was registered by the Respondent on June 11, 2011.

Prior to the circumstances giving rise to this dispute, and from about October 16, 2011, the Complainant operated a website at “www.permixtec.com”.

From a date on or about May 8, 2026, the disputed domain name redirected to a website at “www.permixmixers.com”, which made prominent use of the PERMIX trademark and purported to be that of the Complainant.

At the date of this Decision, the disputed domain name redirects to a website at “www.quantummixers.com”, promoting industrial vacuum mixer/dryer products.

6. Parties’ Contentions

A. Complainant

The Complainant submits that:

- the Respondent registered the disputed domain name on the Complainant’s behalf on June 11, 2011;
- the disputed domain name was originally registered with a registrar based in China unconnected with the Registrar;
- the Complainant employed a certain named individual the Senior Executive as a CEO in August 2020;
- the Senior Executive assumed control of the disputed domain name around the time he commenced his said employment in August 2020;
- soon after August 2020, the Senior Executive transferred the registration of the disputed domain name to the Registrar;
- on or about March 31, 2026, the Complainant learned for the first time that the Senior Executive had restricted the Complainant’s access to the Registrar’s account for the disputed domain name and refused to provide access to the Complainant;
- the Complainant terminated the employment of the Senior Executive (the date of which termination is not provided);
- the disputed domain name continued correctly to resolve to the Complainant’s legitimate website until its diversion to the website at “www.permixmixers.com” mentioned above on or about May 8, 2026; and
- on May 13, 2026, the Senior Executive emailed one or more customers of the Complainant to inform them that he had “made the decision to step down” from the Complainant’s company.

The Complainant submits that it now has no control of the disputed domain name, the currently associated website, or email accounts linked to the disputed domain name. It contends in the circumstances that the Senior Executive has “hijacked” the disputed domain name, and has deprived the Complainant of it, by surreptitiously obtaining control of it, although without changing its registrant details.

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

The Complainant submits that the disputed domain name is identical or confusingly similar to its PERMIX trademark. It contends that the disputed domain name contains that trademark in its entirety, with the inclusion of the descriptive term “tec”, which does nothing to alleviate confusing similarity for the purpose of the Policy.

The Complainant submits that the Senior Executive has no rights or legitimate interests in respect of the disputed domain name. It states that it has never authorized the Senior Executive to use its PERMIX trademark, that the Senior Executive has not commonly been known by the disputed domain name, and that the Senior Executive is making neither bona fide commercial use, nor legitimate noncommercial or fair use, of the disputed domain name. The Complainant contends that, on the contrary, the Senior Executive has used the disputed domain name misleadingly to divert Internet users to a website which falsely represents itself as that of the Complainant, which cannot give rise to rights or legitimate interests.

The Complainant adds that the Senior Executive cannot claim to be making bona fide use of the disputed domain name as an independent reseller of the Complainant’s goods, since he does not actually sell the Complainant’s goods, and includes no relevant disclaimer on his website (see, e.g., [WIPO Overview 3.1](#), section 2.8.1).

The Complainant submits that the disputed domain name has been registered and is being used in bad faith.

The Complainant contends that registration of a domain name in bad faith can be established where a former employee of a complainant obtains control of the complainant’s domain name and alters the registration details without the complainant’s authorization (see, e.g., *Top Driver, Inc. v. Benefits Benefits*, WIPO Case No. [D2002-0972](#)). It asserts that it would frustrate the purpose of the UDRP if a disgruntled former employee were able to disrupt a complainant’s business by interfering with its use of a domain name.

The Complainant provides evidence that an email address including the name of the Senior Executive appears, with relative prominence, at the top of the website to which the disputed domain name has been redirected.

The Complainant further submits that, as the individual who has taken effective control of the disputed domain name, the Senior Executive should be deemed to have acquired the disputed domain name for the purposes of the Policy.

The Complainant submits that the Senior Executive both registered, and has used, the disputed domain name in bad faith, by depriving the Complainant of access to its website and emails accounts, and by redirecting the disputed domain name to a website that misrepresents itself as being that of the Complainant. The Complainant comments that the PERMIX trademark appears 24 times on the Senior Executive’s website, which offers to sell commercial and industrial mixers, being the same goods as those supplied by the Complainant. The Complainant contends that the Senior Executive has therefore created a likelihood of confusion as contemplated by paragraph 4(b)(iv) of the Policy.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

On September 25, 2026, the Center received an email communication from the Senior Executive. The email did not include any submissions pertinent to the present dispute.

7. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

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

Preliminary Issue – Scope of the UDRP

As stated in paragraph 15(e) of the Rules: “If the Panel concludes that the dispute is not within the scope of Paragraph 4(a) of the Policy, it shall so state”.

It is well accepted in prior Decisions under the UDRP that certain categories of dispute will be deemed to fall outside the scope of the Policy. The UDRP provides a forum, principally, for the determination of cases of, or akin to, “cybersquatting”, and is not apt to decide, for example, commercial disputes between competing owners of a domain name, or those which may relate to internal issues within a complainant’s organization.

In this case, the Complainant submits that the seizure of control of the disputed domain name by the Senior Executive amounted to a new acquisition of the disputed domain name, such that the Senior Executive is the proper respondent in the proceeding. However, the Panel cannot accept that submission in a case where there has been no change in the identity of the registrant of the disputed domain name, or any evidence that the beneficial ownership of the disputed domain name has changed. While the Complainant points to cases in which former employees of a complainant have appropriated a domain name, such cases have involved a change in the registrant details, such as to amount to a new registration of the domain name in question. That is not the case here, since there has been no change in the registrant details: whatever particulars may have been provided for the account holder does not alter that fundamental factor, even though the account holder may exercise effective control of the disputed domain name.

Nor would the appropriation of the disputed domain name by the Senior Executive amount to a change in its beneficial ownership, as the Complainant also contends. The beneficial holder of a domain name is the party entitled to ownership, which may differ from the party whose name is shown as registrant (particularly in cases involving a privacy or proxy service). It is not, however, a party who exercises actual control over the disputed domain name without the entitlement to ownership of it. The Panel finds in this case that the Complainant has remained the beneficial holder of the disputed domain name throughout.

In the view of the Panel, the reality of this case is that it involves circumstances internal to the Complainant which appear to have enabled the Senior Executive to obtain control of the disputed domain name, and to deny the Complainant access to it. The Senior Executive appears to have obtained account access around the time he commenced his role at the Complainant’s company, and then to have refused to relinquish it after leaving.

In the circumstances, the Panel views this case as being a dispute which implicates commercial, employment and/or corporate governance issues, which fall outside the limited scope of the UDRP.

The Panel also notes that, even if the Complainant could have demonstrated that the Senior Executive was the appropriate respondent in the proceeding, the Complainant would still face a significant obstacle in establishing, as the Policy requires, both registration and use of the disputed domain name in bad faith. Assuming that the Senior Executive caused himself to be recorded as the account holder in the course of his employment in August 2020, there is no evidence (or basis to infer) any bad faith intent on his part at that time. Nor does the Complainant point to any subsequent action by the Senior Executive, including his post-employment conduct, that could be regarded as new registration or acquisition of the disputed domain name.

In conclusion, there having been no relevant change in the registrant details or beneficial ownership of the disputed domain name, the Panel finds that the proceeding falls outside the scope of the UDRP. The Complaint must therefore be denied.

8. Decision

For the foregoing reasons, the Complaint is denied.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: September 30, 2026