

ADMINISTRATIVE PANEL DECISION

Lincoln Global, Inc., The Lincoln Electric Company v. Daniel Morissette, Argonaut Manufacturing Services, Eduardo Fortes, Name Redacted
Case No. D2025-0746

1. The Parties

The Complainants are Lincoln Global, Inc., and The Lincoln Electric Company, United States of America (“United States”), represented by CSC Digital Brand Services Group AB, Sweden. The Complainants will collectively be referred to as the “Complainant” unless otherwise indicated.

The Respondents are Daniel Morissette, Argonaut Manufacturing Services, and Eduardo Fortes, Name Redacted,¹ United States.

2. The Domain Names and Registrars

The disputed domain names <lincoln-electricity.com>, and <lincolnelectricity.com> are registered with Hosting Concepts B.V. d/b/a Registrar.eu. and NameCheap, Inc. (the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 24, 2025. On February 24, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain name. On February 24, 2025, the Registrars transmitted by email to the Center their verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Redacted for Privacy, Privacy Service Provided by Withheld for Privacy ehf and Redacted for Privacy, Name Redacted).

The Center sent an email communication to the Complainants on February 25, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the

¹ The Respondent appears to have used the name of a third party company when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent’s company name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

Complainants to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on February 28, 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 Respondents of the Complaint, and the proceedings commenced on March 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 23, 2025.

On March 10, 13, 20, 25, and 27, 2025, the Center received email communications from a third party.

The Center appointed Evan D. Brown as the sole panelist in this matter on April 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 Complainants are sister companies owned by Lincoln Electric Holdings Inc. and active in the business of manufacturing and selling welders and related equipment. They own the trademark LINCOLN ELECTRIC, for which they enjoy the benefits of registration (e.g., United States Reg. No. 2350082, registered on May 16, 2000).

The disputed domain name <lincolnelectricity.com> was registered on November 16, 2024, and the disputed domain name <lincoln-electricity.com> was registered on February 10, 2025. The Respondents have not used either of the disputed domain names to publish an active website. However, the Complainants have submitted evidence that the Respondents have used the disputed domain names to send and receive email messages in a phishing scheme – impersonating the Complainant in an apparent attempt to commit financial fraud.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain names are identical or confusingly similar to the Complainant's trademark; that the Respondents have no rights or legitimate interests in respect of the disputed domain names; and that the disputed domain names were registered and are being used in bad faith.

B. Respondents

The Respondents did not respond to the Complainant's contentions. Third party communication were received by the Center on March 10, 13, 20, 25, and 27, 2025, indicating that the Respondent appears to have used this third party's name and physical address information when registering the disputed domain name <lincoln-electricity.com>.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, (ii) the Respondents have 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 finds that all three of these elements have been met in this case.

Preliminary Issue: Consolidation of Multiple Respondents

There are two named Respondents (two underlying registrants disclosed by the Registrars) – one for each of the disputed domain names. The Complainant requests that all be consolidated into this matter. Consolidation is proper, so the Complainant's request for consolidation is granted.

Paragraph 10(e) of the Rules states that a “[p]anel shall decide a request by a Party to consolidate multiple domain name disputes in accordance with the Policy and these Rules”. Paragraph 10(c) of the Rules provides, in relevant part, that “the [p]anel shall ensure that the administrative proceeding takes place with due expedition”. Section 4.11.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”) summarizes the consensus view of UDRP panels on the consolidation of multiple respondents and provides that where a complaint is filed against multiple respondents, panels consider whether the domain names or corresponding websites are subject to common control, and whether the consolidation would be fair and equitable to all parties.

The record indicates the disputed domain names are under common control. The following facts support this conclusion: (1) both disputed domain names target the Complainant and its mark and are being used in the same phishing campaign, (2) the phishing emails use similar impersonation techniques and false identities to appear as if coming from the Complainant's Director of Global Purchasing, and (3) the same impersonation methods and message formats are used with both disputed domain names.

The Respondents have not presented any arguments as to why consolidation would be unfair or inequitable. Accordingly, conditions for proper consolidation of the disputed domain names into one matter are present here.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. [WIPO Overview 3.0](#), section 1.7. 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.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. See *Advance Magazine Publishers Inc., Les Publications Conde Nast S.A. v. Voguechen*, WIPO Case No. [D2014-0657](#). The Complainant has demonstrated its rights in the LINCOLN ELECTRIC mark by providing evidence of its trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

Each disputed domain name incorporates the LINCOLN ELECTRIC mark in its entirety with the addition of “ity” or the hyphenated form of “electricity”, which does not prevent a finding of confusing similarity between the disputed domain names and the Complainant's LINCOLN ELECTRIC mark. See [WIPO Overview 3.0](#), section 1.8. The LINCOLN ELECTRIC mark remains recognizable for a showing of confusing similarity under the Policy.

It is standard practice when comparing a disputed domain name to a complainant's trademarks, to not take the extension into account. See [WIPO Overview 3.0](#) at 1.11.1.

The Panel finds that the Complainant has established this first element under the Policy.

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a prima facie showing that the Respondents lack rights or legitimate interests in respect of the disputed domain names. If the Complainant makes that showing, the burden of production of demonstrating rights or legitimate interests shifts to the Respondents. See [WIPO Overview 3.0](#), section 2.1.

On this point, the Complainant asserts, among other things, that: (1) the Respondents are not sponsored by or affiliated with the Complainant in any way; (2) the Complainant has not given the Respondents permission to use its trademark in any manner, including in domain names; (3) the Respondents are not commonly known by the disputed domain names; and (4) the Respondents have not used the disputed domain names in connection with any bona fide offering of goods or services. Instead, the Respondents have used the disputed domain names to impersonate the Complainant's Director of Global Purchasing for the purpose of executing a phishing scheme.

The Panel finds that the Complainant has made the required prima facie showing. The Respondents have not presented evidence to overcome this prima facie showing. And nothing in the available record otherwise tilts the balance in the Respondents' favor. The use of a domain name for illegal activity such as impersonation or passing off can never confer rights or legitimate interests on a respondent. *Société des Produits Nestlé S.A. v. Great Homes, jobs-nestle.com*, WIPO Case No. [D2024-2911](#); [WIPO Overview 3.0](#), section 2.13.1.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

C. Bad Faith

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

Here, the evidence submitted by the Complainant indicates that the Respondents registered and used the disputed domain names as part of a deliberate phishing scheme. By using confusingly similar domain names to send fraudulent email messages impersonating the Complainant's Director of Global Purchasing, the Respondents sought to deceive recipients into believing the messages originated from the Complainant. Such conduct is a clear example of bad faith registration and use under paragraph 4(b)(iv) of the Policy. See [WIPO Overview 3.0](#), section 3.1.4.

The Panel finds that the Complainant has established this third element under 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 <lincoln-electricity.com> and <lincolnelectricity.com> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: April 16, 2025