

ADMINISTRATIVE PANEL DECISION

The Procter & Gamble Company, Braun GmbH v. jack chen
Case No. D2025-0904

1. The Parties

The Complainants are The Procter & Gamble Company, United States of America ("United States"), Braun GmbH, Germany, represented by Studio Barbero S.p.A., Italy.

The Respondent is jack chen, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <braun-eu.shop> is registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 5, 2025. On March 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 6, 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 (Not Disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainants on March 7, 2025, 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 March 7, 2025.

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 March 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 31, 2025.

The Center appointed Masato Dogauchi as the sole panelist in this matter on April 3, 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 first Complainant, the Procter & Gamble Company, is a manufacture of wide range of consumer goods in diverse areas such as health care, hair care, cosmetics, laundry and fabrics care. In 2005, the first Complainant acquired the Gillette Company, which had become the owner of BRAUN brand in 1984, after having already purchased a controlling interest in the second Complainant in 1967.

The second Complainant, Braun GmbH, founded as a small engineering shop in 1921 in Frankfurt am Main, Germany, by a man named Max Braun, expanded its business by launching the first electronic razors and a kitchen blender in the 1950s. The control interest in the second Complainant was acquired by the Gillette Company in 1967 as mentioned above. The second Complainant launched its clocks, watches and pocket calculator product group in 1971. After the acquisition of the Gillette Company in 2005 by the first Complainant, the second Complainant became one of 23 global brands in the consumer goods group that achieve annual sales of more than one billion United States dollars. The focus of the second Complainant at present is on its four core business segments: male dry shaving, female electric hair removal, hair care appliances and beauty devices.

The Complainants operate within sales network consisting of about 100.000 employees in over 180 countries and through their distribution channels BRAUN products are distributed worldwide, including in the United Kingdom.

The second Complainant is the owner of trademark registrations for BRAUN in several countries, such as:

- International Trademark Registration No 652027 for BRAUN, registered on November 14, 1995;
- European Union Trademark Registration No 000394122 for BRAUN, registered on August 17, 1999; and
- United Kingdom Trademark Registration No UK00001075953 for BRAUN, registered on March 22, 1977.

The disputed domain name was registered by Respondent on December 17, 2024. The Complainants contend that, on December 20, 2024, when the Complainants became aware of the disputed domain name, it resolved to a website featuring the BRAUN trademark and offering purported BRAUN products for sale at discounted prices, and that the Respondent misrepresented itself as the second Complainant Braun GmbH in the "About us" and "Terms of Use" sections on the website. At the time of filing the Complaint, the disputed domain name resolved to an inactive website.

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.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

In accordance with the Rules, paragraph 15(a), a panel shall decide a case on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Since the Respondent has not made any substantive arguments in this case, the following decision is rendered on the basis of the Complainants' contentions and other evidence submitted

by the Complainants.

In accordance with the Policy, paragraph 4(a), in order to qualify for a remedy, the Complainants must prove each of the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainants have 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.

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

In the present case, the Complainants have shown rights in respect of the BRAUN trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name includes the second Complainant's BRAUN trademark as a whole. Such fact supports a finding that the disputed domain name is confusingly similar to the second Complainant's BRAUN trademark. The addition of other terms does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), sections 1.7 and 1.8.

Accordingly, 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 Complainants, 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 Complainants). If the respondent fails to come forward with such relevant evidence, the Complainants are deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

In the present case, the Panel finds that the Complainants have made a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name and the Respondent did not come forward with relevant evidence rebutting the prima facie case 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. Moreover, the nature of the disputed domain name is inherently misleading as it effectively impersonates or suggests sponsorship or endorsement by the Complainants. [WIPO Overview 3.0](#), section 2.5.1. Accordingly, 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, in consideration of the fact that the second Complainant has been doing business in market including male dry shaving using the BRAUN trademark around the world including in United Kingdom where the Respondent is located, it is highly unlikely that the Respondent could have been unaware of the second Complainant's BRAUN trademark at the time of registration of the disputed domain name on December 17, 2024. Therefore, it is found that the Respondent registered the disputed domain name in bad faith.

On the other hand, with regard to the requirement that the disputed domain name is being used in bad faith, the Complainants contend that the disputed domain name resolved to a website featuring the BRAUN trademark and offering purported BRAUN products for sale at discounted prices, and that the Respondent misrepresented itself as "Braun" in the "About us" and "Terms of Use" sections on the website. It is very likely that Internet users could be misled as to the source, sponsorship or affiliation of Respondent's website. The Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its own website, by creating a likelihood of confusion with the Complainants' marks. The current non-use of the disputed domain name does not prevent a finding of bad faith. [WIPO Overview 3.0](#), section 3.3.

Therefore, it is found that the Respondent has registered and used the disputed domain name in bad faith.

Accordingly, the Panel finds that the Complainants have 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 <braun-eu.shop> be transferred to the second Complainant, Braun GmbH.

/Masato Dogauchi/

Masato Dogauchi

Sole Panelist

Date: April 4, 2025