

ADMINISTRATIVE PANEL DECISION

Lincoln Global, Inc. and The Lincoln Electric Company v. Agu Tech, AguTec, Mark Tra, southernco.com, Daniel Moses and Tara Ryan
Case No. D2025-1411

1. The Parties

The Complainants are Lincoln Global, Inc., United States of America ("United States"), and The Lincoln Electric Company, United States (collectively the "Complainant"), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondents are Agu Tech, AguTec, Nigeria, Mark Tra, southernco.com, United States, Daniel Moses, United States and Tara Ryan, United States.

2. The Domain Names and Registrars

The disputed domain name <lincolnelectrichold.com> is registered with Nicenic International Group Co., Limited.

The disputed domain names <lincolnelectricholding.com>, <lincolnelectric-holdings.com> and <lincolnelectricsholding.com> are registered with PDR Ltd. d/b/a PublicDomainRegistry.com.

The disputed domain name <lincoln-electricholdings.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu (collectively the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 7, 2025. On April 8, 2025, the Center transmitted by email to the Registrars requests for registrar verification in connection with the disputed domain names. On April 8 and April 9, 2025, the Registrars transmitted by email to the Center its verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (Agu Tech, AguTec, REDACTED FOR PRIVACY, southernco.com, Tara Ryan, and Domain Admin, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 10, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints 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 the first amended Complaint on April 15, 2025.

The Center verified that the Complaint together with the first 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 April 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 12, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on May 13, 2025. The Respondent Agu Tech, AguTec sent an email communication to the Center on May 14, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on May 22, 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 to ensure compliance with the Rules, paragraph 7.

On June 3, 2025, the Panel issued a Procedural Order requesting the Complainant to rectify certain information in the Complaint. The Complainant filed its submission pursuant to the Procedural Order on June 5, 2025.

4. Factual Background

The Lincoln Electric Company and Lincoln Global, Inc. are sister companies owned by Lincoln Electric Holdings Inc. Lincoln Electric was founded in 1895 selling electric motors. Today, Lincoln Electric is a world leader in the design, development and manufacture of arc welding products, robotic arc welding systems, plasma and oxy-fuel cutting equipment. It has a global position in the brazing and soldering alloys market. Lincoln Electric’s solutions are used across diverse industry sectors in over 160 countries. In 2024, Lincoln Electric was named one of “America’s Best Mid-Size Companies” by Time Magazine.

The Complainant owns trademark registrations across various jurisdictions for LINCOLN ELECTRIC, see for example United States Patent and Trademark Office Registration Number 2350082 (registered on May 16, 2000). The Complainant also owns numerous domain names, such as <lincolnelectric.com> which resolves to the Complainant’s website with an average of 462,000 hits per month. The Complainant also has social media presence.

The Respondents registered the disputed domain names between February 1, 2025 and March 29, 2025. The Complainant documents that the disputed domain names have all resolved to websites that attempt to duplicate the Complainant’s official website by copying the design, pictures and logo found on the Complainant’s website.

5. Parties’ Contentions

A. Complainant

The Complainant argues that the disputed domain names are under common control. All the disputed domain names were registered within a short time frame, between February 1 and March 29, 2025, and all have at different times been used to attempt to duplicate the Complainant’s official website. All disputed domain names comprise the Complainant’s trademark with similar additional terms “hold”, “holding” or “holdings”. The disputed domain names <lincoln-electricholdings.com> and <lincolnelectrichold.com> were registered within 24 hours of each other and have been linked to the same name servers. The disputed

domain names <lincolnelectricholding.com> and <lincolnelectricsholding.com> were both registered on March 23, 2025, with the same Registrar. The disputed domain name <lincolnelectric-holdings.com> was also registered with this Registrar. The Whois information for <lincoln-electricholdings.com> and <lincolnelectricholding.com> lists the exact same e-mail address. The listed e-mail address for <lincolnelectricsholding.com> merely differs by one digit. The Whois information for <lincolnelectricsholding.com> and <lincolnelectrichold.com> both identify the registrant as “Daniel Moses”, found in UDRP decisions to be involved in cybersquatting.

The Complainant provides evidence of trademark registration and argues that the disputed domain names are confusingly similar to the Complainant's trademark. The addition of generic, descriptive terms “holdings”, “hold” and “holding” only serves to increase the confusing similarity between the disputed domain names and the Complainant's trademark. The Respondents' removal of the space from, and the addition of a hyphen in, two of the disputed domain names do nothing to distinguish the disputed domain names from the Complainant's trademark.

The Complainant argues that the Respondents have no rights or legitimate interests in respect of the disputed domain names. The Respondents have not been commonly known by the disputed domain names. The Complainant has not licensed, authorized, or permitted the Respondents to register domain names incorporating the Complainant's trademark. The disputed domain names have directed Internet users to websites that attempt to duplicate the Complainant's official website. The Respondents' attempt to pass off the disputed domain names as being affiliated with the Complainant is in itself evidence of the Respondents not having rights and legitimate interests in the disputed domain names. The Complainant concludes that the Respondents are not making any bona fide use of the disputed domain names.

The Complainant argues that the Respondents by creating domain names that are confusingly similar to the Complainant's trademark and using them to pose as the Complainant, have demonstrated knowledge and familiarity with the Complainant's brand. The Respondents' use of the disputed domain names to create a likelihood of confusion with the Complainant and its trademarks is an attempt to cause confusion and to profit from it. Moreover, the Complainant provides evidence of the Respondent Daniel Moses pattern of cybersquatting. Finally, the Complainant argues that it is more likely than not that the Respondents knew of and targeted the Complainant's trademark.

B. Respondents

The Respondents did not formally reply to the Complainant's contentions, but the Respondent Agu Tech, AguTec sent an informal email to Center on May 14, 2025, after the due date for Response, stating:

“Please, I don't understand the message, my company is a tech company that offers domains, hosting, web design and email marketing to a lot of people globally and also to many people that are into affiliate marketing companies, products and services. We only offer services, if there is anything, please kindly let me know because I don't understand your message. If you need my help with anything concerning our services or any illegal involvement in the services we offered to people, please kindly let me know. For the domains you listed, we designed some of it and not all. 90% of the domain was not purchased by me but the owners. I only hosted it for the client who said is for affiliate marketing. Please I am ready to assist in case there is anything....! Sorry for late reply please I just saw the mail know.”

6. Discussion and Findings

6.1. Procedural Matter - Consolidation

The Complaint was filed in relation to nominally different domain name registrants. The Complainant argues that the domain name registrants are the same entity or under common control. The Complainant requests consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules. Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain

name, provided that the domain names are registered by the same domain name holder. In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards the common control, the Panel notes that the disputed domain names were registered within a short time frame, and all have been used to attempt to duplicate the Complainant's official website. All disputed domain names comprise the Complainant's trademark with similar additional terms "hold", "holding" or "holdings". Moreover, some of the disputed domain names are clearly linked through the registrant details.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. The registrants have been granted the right to comment but opted not to.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to as "the Respondent") in a single proceeding.

Further, the Panel notes that the Respondent has asserted that it "designed" and "hosted [the disputed domain names] for the client who said is for affiliate marketing". The Panel notes that little is known about claimed client nor is there any evidence on the existence of the relationship between the Respondent and the alleged beneficial holder. Irrespective of whether there is an actual beneficial holder, noting that Agu Tech, AguTec, Mark Tra, southernco.com, Daniel Moses and Tara Ryan are the registrants confirmed by the Registrars, the Panel has decided to consider them as the Respondent.

6.2. Substantive Issues

A. Identical or Confusingly Similar

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. See [WIPO Overview 3.0](#), section 1.7.

The Complainant has established that it has rights in the trademark LINCOLN ELECTRIC. The disputed domain names incorporate the Complainant's trademark with the addition of "holdings", "hold", "holding", the letter "s" and hyphens. The additions do not prevent a finding of confusing similarity. See [WIPO Overview 3.0](#), sections 1.7. and 1.8.

For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain ("gTLD"). See [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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. While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant's showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names. The Respondent is not affiliated or related to the Complainant. There is no evidence that the Respondent has registered the disputed domain names as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the disputed domain names or names corresponding to the disputed domain names in connection with a bona fide offering of goods or services. On the contrary, the disputed domain names have been used for websites that mimic the Complainant's official website by copying the design, pictures and logo found on the Complainant's website.

Based on the available record, 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.

The incorporation of the Complainant's trademark in the disputed domain names, and the use of the disputed domain names, prove that the Respondent was aware of the Complainant and its prior rights when the Respondent registered the disputed domain names. The use of the disputed domain names to mimic the Complainant is clear evidence of bad faith use. The Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's trademark. Moreover, the Respondent appears to be involved in a pattern of cybersquatting.

For the reasons set out above, the Panel concludes that the disputed domain names were registered and are being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy. The third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders the disputed domain names <lincolnelectrichold.com>, <lincolnelectricholding.com>, <lincoln-electricholdings.com>, <lincolnelectric-holdings.com> and <lincolnelectricsholding.com> be transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: June 13, 2025