

ADMINISTRATIVE PANEL DECISION

Reifenhäuser GmbH & Co. KG Maschinenfabrik v. Philip Lisa
Case No. D2025-1547

1. The Parties

Complainant is Reifenhäuser GmbH & Co. KG Maschinenfabrik, Germany, represented by Jonas Rechtsanwaltsgesellschaft mbH, Germany.

Respondent is Philip Lisa, United States of America.

2. The Domain Name and Registrar

The disputed domain name is <reifenhauseorgmbh.com> which is registered with Wild West Domains, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 16, 2025. On April 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 28, 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 those in the Complaint (unknown - Registration Private/Domains By Proxy, LLC). The Center sent an email communication to Complainant on April 29, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on April 29, 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 Respondent of the Complaint, and the proceedings commenced on May 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on May 22, 2025.

The Center appointed Gerardo Saavedra as the sole panelist in this matter on May 26, 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.

Preliminary Issue: Proper Respondent

Pursuant to paragraph 1 of the Rules “Respondent means the holder of a domain-name registration against which a complaint is initiated”. The original Complaint named “unknown” as Respondent, since the available Whois record showed “Registration Private/Domains By Proxy, LLC” as registrant. At the Center’s request, the Registrar sent its verification response disclosing Philip Lisa as the registrant of the disputed domain name, and thus on April 29, 2025, Complainant filed an amendment to the Complaint adding Philip Lisa as Respondent. Since the real underlying registrant has been promptly disclosed, the Panel decides to only have Philip Lisa as the proper Respondent.

4. Factual Background

Complainant is a German company that forms part of the Reifenhäuser group of companies, and is engaged in the manufacture of extrusion systems for processing thermoplastics. Complainant’s name was recorded in the commercial register of Siegburg, Germany, on May 21, 1948.

Complainant has rights over the REIFENHÄUSER mark for which it holds European Union registration No. 001010701, registered on February 18, 2000, in class 7. Complainant also has rights over the R REIFENHÄUSER figurative mark for which it holds European Union registration No. 011857901, registered on September 26, 2013, in classes 7, 9, and 42.

Complainant appears as the registrant of the domain name <reifenhauser.com> created on September 8, 1996.

The disputed domain name was registered on January 14, 2025. Before the Complaint was filed the disputed domain name was used as an email address and did not resolve to an active website.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy and requests that the disputed domain name be transferred to Complainant. Complainant’s assertions may be summarized as follows.

The Reifenhäuser Group is organised into various business units and companies, including Complainant, Reifenhäuser Cast Sheet Coating GmbH & Co. KG, and Reifenhäuser Gesellschaft mit beschränkter Haftung. Due to its worldwide activities, the Reifenhäuser Group also has branches in Chile, China, United Arab Emirates, India, Italy, the Philippines, Poland, Russian Federation, Singapore, Türkiye, United States of America, and Viet Nam, as well as representatives in other countries.

Complainant holds several trademark registrations for REIFENHÄUSER and variations thereof, and uses them and its corporate name at its website “www.reifenhauser.com”.

The disputed domain name is confusingly similar to Complainant’s REIFENHÄUSER mark. Save for the umlaut dots on the letter “a”, the disputed domain name features the signature element of said mark and is therefore nearly identical to REIFENHÄUSER, and to Complainant’s domain name <reifenhauser.com>.

The disputed domain name also includes the element “gmbh” which does not diminish the confusing similarity either since “GmbH” and “GmbH & Co. KG” are legal form designations in Germany, while Complainant’s company name also includes the characters “GmbH”. The addition of the characters “gmbh” is not only insufficient to avoid the confusing similarity between the disputed domain name and Complainant’s marks and domain name but it even serves as an additional reference to Complainant and its legal form and thus increases the confusing similarity.

Thus the disputed domain name suggests that it belongs to Complainant, and confusion will inevitably follow as Internet users, business partners, etc., will undoubtedly be confused into thinking that the disputed domain name is associated with Complainant and its business. Same applies to emails that are sent out from an email address linked to the disputed domain name, which will lead to email recipients to think that such emails come from Complainant or one of its affiliated companies.

Respondent has no rights or legitimate interests in respect of the disputed domain name. Complainant has not licensed or otherwise permitted anyone outside of the Reifenhäuser Group to use its company name or REIFENHÄUSER marks, or to obtain the registration of the disputed domain name. The disputed domain name does not host a website, and there is no evidence that Respondent has made any preparations to use it in connection with a bona fide offering of goods and services.

Respondent has used the disputed domain name to create a corresponding email address linked to it (i.e., “[...]@reifenhausergmbh.com”) in order to send out at least an email to one of Complainant’s business partners, purposely impersonating Complainant and a Complainant’s affiliate by using Complainant’s company name and street address as well as the name of Complainant’s affiliate (Reifenhäuser Cast Sheet Coating GmbH & Co) and their commercial register numbers in the signature.¹ Said email message appears to be from the “Head of International Sales” of said Complainant’s affiliate, which shares the same street address with Complainant. UDRP decisions have held that the use of a domain name for illegal activity (e.g., impersonation) can never confer rights or legitimate interests on a respondent.

Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

At the time of registering the disputed domain name Respondent clearly knew of Complainant and deliberately chose to register it incorporating Complainant’s REIFENHÄUSER mark in a nearly identical manner, together with the common legal form abbreviation “gmbh”. Respondent then used the disputed domain name to create a corresponding email address linked to it for the purpose of impersonating Complainant and a company affiliated with Complainant (and thereby creating a likelihood of confusion with Complainant’s marks, company name, and <reifenhauser.com> domain name) in order to conduct a scam where the intention is likely to obtain the sensitive personal information of a third party or to obtain services without making payment or capitalise on the renowned name and reputation of Complainant to conduct business and disrupt Complainant’s business.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the 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”.

¹Annex 9 of the Complaint contains a copy of such email message, sent on March 12, 2025.

The lack of response from Respondent does not automatically result in a favorable decision for Complainant (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 4.3). The burden for Complainant, under paragraph 4(a) of the Policy, is to show: (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; (ii) that 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

The Panel finds Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy ([WIPO Overview 3.0](#), section 1.2.1).

The entirety of the REIFENHÄUSER mark is reproduced within the disputed domain name, albeit without the umlaut and followed by the characters “gmbh”. The Panel finds the mark is recognizable within the disputed domain name and that such variations in the disputed domain name do not avoid a finding of confusing similarity between them for the purposes of the Policy ([WIPO Overview 3.0](#), sections 1.7, 1.8 and 1.11.1).

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Although 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 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 3.0](#), section 2.1).

Paragraph 4(c) of the Policy provides a list of circumstances in which Respondent may demonstrate rights or legitimate interests in the disputed domain name. There is no evidence in the case file of any of those, or of any other circumstances giving rise to a possible right to or legitimate interest in the disputed domain name by Respondent, but rather the opposite may be validly inferred.

The Panel finds that the nature of the disputed domain name carries a risk of implied affiliation as it may mistakenly be seen as suggesting some connection with Complainant and its REIFENHÄUSER mark. The evidence in the file shows that the disputed domain name was used as an email address for sending a phishing email communication, conveying the impression that the sender is associated with a Complainant's affiliate and with Complainant; that is, the disputed domain name was used to impersonate said Complainant's affiliate. Such use demonstrates neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain name ([WIPO Overview 3.0](#), section 2.13.1).²

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Based on the available record, the Panel finds the second element of the Policy has been established.

²See *Syngenta Participations AG v. Guillaume Texier, Gobain Ltd*, WIPO Case No. [D2017-1147](#): “A registrant cannot acquire rights or legitimate interests by the use of a domain name as an email address from which to send phishing emails”. See also *Accenture Global Services Limited v. one devs*, WIPO Case No. [D2024-1760](#).

C. Registered and Used 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 3.0](#), section 3.2.1).

Having reviewed the case file, the Panel finds that Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. The evidence in the case file indicates that Respondent targeted Complainant with the intention of passing off as a Complainant's affiliate in order to deceive a supplier through a phishing email. The fact that the disputed domain name incorporates the entirety of, and is confusingly similar to, Complainant's REIFENHÄUSER mark, coupled with the email communication sent to a Complainant's supplier from an email account linked to the disputed domain name (which confusingly resembles Complainant's <reifenhauser.com> domain name as well) and purporting to be an officer of a Complainant's affiliate using the street address and commercial register numbers of Complainant and said Complainant's affiliate, lead to the inescapable conclusion that Respondent registered and used the disputed domain name in bad faith ([WIPO Overview 3.0](#), section 3.4³).

Based on the available record, the Panel finds that 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 <reifenhausergmbh.com> be transferred to Complainant.

/Gerardo Saavedra/

Gerardo Saavedra

Sole Panelist

Date: June 9, 2025

³ See *BinckBank N.V. v. Helo Holdings LTD*, WIPO Case No. [DNL2010-0014](#): "Respondent in the present case apparently targeted Dutch students by pretending to be the Complainant and sending them an offer from an e-mail address associated with the Domain Name [...] Phishing activities pose a severe threat to customers, trademark holders and third parties". See *BHP Billiton Innovation Pty Ltd v. Domains By Proxy LLC / Douglass Johnson*, WIPO Case No. [D2016-0364](#): "the use of an email address associated with the disputed domain name, to send a phishing email for the purposes of dishonest activity is in itself evidence that the disputed domain name was registered and is being used in bad faith".