

ADMINISTRATIVE PANEL DECISION

Peter Lehmann AG v. Minnotte Manufacturing
Case No. D2025-2327

1. The Parties

The Complainant is Peter Lehmann AG, Switzerland, represented by Fuhrer Marbach & Partner, Switzerland.

The Respondent is Minnotte Manufacturing, United States of America.

2. The Domain Name and Registrar

The disputed domain name <lehmann-rotary-table.com> 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 June 13, 2025. On June 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 13, 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 (Unknown / Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on June 18, 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 Respondent of the Complaint, and the proceedings commenced on June 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 15, 2025.

The Center appointed Stefan Bojovic as the sole panelist in this matter on July 21, 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 Complainant is a Swiss developer and manufacturer of CNC rotary tables. Its products include innovative CNC rotary axes, organized in a standardized modular system through which the Complainant meets international needs for cost-effective production of very small to medium-sized workpieces in the machining industry. The Complainant is present in markets of over 20 countries and covers over 90 percent of the development and manufacturing in-house.

In the course of business, the Complainant uses its company name “Peter Lehmann AG” and PL LEHMANN trademark.

The Complainant is the owner of a number of registered trademarks in various territories for its PL LEHMANN trademark, including the following:

- Swiss trademark registration No. 446608 for PL LEHMANN (word/device), registered on November 6, 1997;
- International trademark registration No. 685119 for PL LEHMANN (word/device), registered on November 6, 1997; and
- United States of America trademark registration No. 3137455 for PL LEHMANN (word/device), registered on September 5, 2006.

The Complainant’s principal website is located on the domain name <lehmann-rotary-tables.com>, which was registered on March 20, 2008.

The disputed domain name was registered on May 22, 2025, and it does not resolve to any active website. However, based on undisputed evidence provided by the Complainant, the disputed domain name has been actively used for an email campaign where the Respondent has impersonated the Complainant and used its PL LEHMANN trademark, its logo, and business address in order to provide various requests for equipment to third-parties.

5. Parties’ Contentions

A. Complainant

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

Notably, the Complainant contends that the disputed domain name is confusingly similar to its PL LEHMANN trademark, as the Second-Level Domain (“SLD”) consists of the portion “lehmann”, i.e. the dominant portion of the Complainant’s trademark in combination with words “rotary” and “table”. These additional words are closely related to the Complainant and its activities since the Complainant’s principal website is located on the domain name <lehmann-rotary-tables.com>, one of the Complainant’s main products are rotary tables and even recent trademark registrations of the Complainant indicate rotary tables and rotary tables for metalworking machines in the list of goods and services.

With reference to rights or legitimate interests in respect of the disputed domain name, the Complainant contends that the Respondent is not authorized to use the Complainant’s PL LEHMANN trademark. The Respondent cannot provide any proper justification as to why it would be entitled to register a domain name containing the Complainant’s name and core verbal element of the registered trademarks and/or use the

disputed domain name as part of an email address. Having in mind the use of the disputed domain name for an email campaign, the Complainant holds that the Respondent is clearly illegally capitalizing upon and taking advantage of the Complainant's trademark in order to carry out potentially fraudulent, but at least misleading activities which create a considerable market confusion.

With reference to the circumstances evidencing bad faith, the Complainant states that one day after the registration of the disputed domain name, the Respondent commenced to systematically contact third parties by misrepresenting its true identity and stealing Complainant's identity, by holding itself out as representing the Complainant. The Complainant holds that this is clearly a sign of bad faith. In fact, it is well established under the Policy, that the misuse of a trademark in a domain name and its association with illegal or improper activity, is a clear indication of registration and use in bad faith.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "A Panel shall 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."

Paragraph 4(a) of the Policy stipulates that the Complainant must prove each of the following:

- (i) that the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that 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.

The 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 Panel notes that the Complainant's PL LEHMANN trademark is a word/device trademark with the "LEHMANN" verbal portion as its most dominant part, while its design elements are more discrete. In that sense, the Panel finds that the dominant portion of the Complainant's trademark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "rotary" and "table") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

In addition, it is well established that ".com", as a generic Top-Level Domain ("gTLD"), can be disregarded in the assessment of the confusing similarity between the disputed domain name and the Complainant's trademark. [WIPO Overview 3.0](#), section 1.11.1.

The Panel, therefore, finds that 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 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.

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

The Panel notes that there seems to be no relationship between the Respondent and the Complainant and that the Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant’s PL LEHMANN trademark or any variation thereof. There appears to be no element from which the Panel could infer the Respondent’s rights and legitimate interests in the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

The Panel also finds that the structure of the disputed domain name, which contains the dominant portion of the Complainant’s PL LEHMANN trademark in combination with the words “rotary” and “table” carries a risk of implied affiliation, especially in the light of the fact that the structure of the disputed domain name is very similar to the structure of the domain name <lehmann-rotary-tables.com> owned by the Complainant and used for its principal website. In particular, the disputed domain name differs from the Complainant’s domain name only in a single letter “s” that is omitted in the disputed domain name and which indicates the plural form of the word “table”.

Furthermore, based on the undisputed evidence provided by the Complainant, the disputed domain name was used in an email campaign where the Respondent impersonated the Complainant and used its PL LEHMANN trademark, its logo and business address in order to send fraudulent requests for equipment to third-parties. Such behavior of the Respondent represents a type of Internet fraud and previous panels have consistently held that use of a disputed domain name for such purposes cannot be considered as a bona fide offering of goods or services nor as a legitimate noncommercial or fair use of the disputed domain name. In connection with the above, it should be noted that panels have held that the use of a domain name for illegal activity (such as for online fraud and impersonation of the Complainant, as in this case) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Having in mind the above, 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.

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.

In the present case, the Panel notes that the Respondent must have been well-aware of the Complainant and its PL LEHMANN trademark at the time of the registration of the disputed domain name. Namely, the registration of PL LEHMANN trademark predates the registration of the disputed domain name by decades, making it unlikely that the Respondent was not aware of the Complainant's trademark at the time of registration of the disputed domain name. Also, the choice of additional words "rotary" and "table" that mimic the structure of the domain name <lehmann-rotary-tables.com> owned by the Complainant and used for its principal website, further indicates the Respondent's awareness of the Complainant's PL LEHMANN trademark. Finally, the fact that the Respondent has used the disputed domain name for the emails through which it has impersonated the Complainant leaves no room for doubt on the Respondent's knowledge of the Complainant and its PL LEHMANN trademark and evidences that the Respondent actually had the Complainant in mind when registering the disputed domain name.

Due to the above, the Panel finds that the disputed domain name has been registered in bad faith.

As indicated above, based on the undisputed evidence provided by the Complainant, the disputed domain name was used for the email campaign where the Respondent has impersonated the Complainant and used its PL LEHMANN trademark, its logo, and business address in order to provide various requests for equipment to third-parties. Such fraudulent behavior manifestly indicates bad faith on the Respondent's side. In that sense, panels have held that the use of a domain name for illegal activity (such as for online fraud and impersonation of the Complainant, as in this case) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Therefore, the Panel finds that the disputed domain name has been both registered and is being used in bad faith, and consequently that the 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 <lehmann-rotary-table.com> be transferred to the Complainant.

/Stefan Bojovic/

Stefan Bojovic

Sole Panelist

Date: August 4, 2025