

ADMINISTRATIVE PANEL DECISION

Ventum Consulting GmbH & Co. KG v. Derrick Lincolen
Case No. D2025-2584

1. The Parties

The Complainant is Ventum Consulting GmbH & Co. KG, Germany, represented by Boehmert & Boehmert, Germany.

The Respondent is Derrick Lincolen, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <ventumconsultings.com> is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 2, 2025. On July 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 3, 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 (Redacted for Privacy, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 3, 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 July 3, 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 July 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 28, 2025. The Respondent sent email communications to the Center on July 3, 2025.

The Center appointed Phillip V. Marano as the sole panelist in this matter on August 8, 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 Munich-based digital and information technology consultancy that for nearly twenty years has offered agile enablement, enterprise architecture, cybersecurity, process digitization, and product development services. The Complainant offers information about its services on its official “ventum-consulting.com” website. The Complainant owns valid and subsisting registrations for the VENTUM and VENTUM CONSULTING trademarks in the European Union (“EU”), including VENTUM (EU Trade Mark (“EUTM”) No. 013708607), registered on May 13, 2021, and VENTUM CONSULTING (EUTM No. 018738490, registered on March 2, 2023, (hereinafter collectively the “VENTUM trademark”).

The Respondent registered the disputed domain name on May 4, 2025. At the time of filing the Complaint, the disputed domain name resolved to a German-language website titled “Ventum Consultings”, which appears to: misappropriate the Complainant’s nearly identical VENTUM CONSULTING stylized and design trademark; purports to offer identical services as the Complainant; and further purports to share the same physical address as the Complainant.

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 asserts ownership of the VENTUM trademark and has adduced evidence of trademark registration, dated back to May 13, 2021. The disputed domain name is confusingly similar to the Complainant’s VENTUM trademark, according to the Complainant, because it is a purposeful misspelling with the letter “s” added to the end.

The Complainant further asserts that the Respondent lacks any rights or legitimate interests in the disputed domain name based on: the lack of any trademark rights of the Respondent; the Respondent’s use of the disputed domain name in connection with website content that makes unauthorized use of the Complainant’s VENTUM standard character and VENTUM CONSULTING design trademarks, as well as offers for identical services in competition with the Complainant; and the intentionally misspelled nature of the disputed domain name, which is intended to create the false impression of a commercial relationship with the Complainant.

The Complainant argues that the Respondent has registered and used the disputed domain name in bad faith for numerous reasons, including: the lack of any relationship or authorization between the Complainant and the Respondent; the Respondent’s use of false or fictitious registration data; and the Respondent’s use of the disputed domain name in connection with website content that makes unauthorized use of the Complainant’s VENTUM standard character and VENTUM CONSULTING design trademarks, as well as offers for identical services in competition with the Complainant.

B. Respondent

On July 3, 2025, the Respondent submitted an informal email response that stated, “what do you want to do? we don’t understand... You want this domain? you want us to remove something from the website? please be more clear.”

6. Discussion and Findings

To succeed in its Complaint, the Complainant must establish in accordance with paragraph 4(a) of the Policy:

- i. the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has 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.

Although the Respondent did not submit a formal response to the Complainant's contentions, the burden remains with the Complainant to establish by a balance of probabilities, or a preponderance of the evidence, all three elements of paragraph 4(a) of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#))

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.

Ownership of a nationally or regionally registered trademark serves as prima facie evidence that the Complainant has trademark rights for the purposes of standing to file this Complaint. [WIPO Overview 3.0](#), section 1.2.1. The Complainant submitted evidence that the VENTUM trademark has been registered in the European Union as of May 13, 2021, four years before the disputed domain name was registered by the Respondent. Thus, the Panel finds that the Complainant's rights in the VENTUM trademark have been established pursuant to the first element of the Policy.

The only remaining question under the first element of the Policy is whether the disputed domain name is identical or confusingly similar to the Complainant's VENTUM trademark. In this case, the disputed domain name is confusingly similar to the Complainant's VENTUM trademark because, disregarding the ".com" generic Top-Level Domain ("gTLD"), the entirety of the VENTUM CONSULTING mark is reproduced within the disputed domain name. [WIPO Overview 3.0](#), section 1.7. ("This test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the domain name [...] [I]n cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar [...]"). gTLDs, such as ".com" in the disputed domain name, are generally viewed as a standard registration requirement and are disregarded under the first element. [WIPO Overview 3.0](#), section 1.11. Furthermore, it is well established that domain names which consist of common, obvious or intentional misspellings of trademarks are considered to be confusingly similar for the purposes of the first element of the Policy. WIPO Overview, section 1.9. See e.g. *Edmunds.com, Inc. v. Digi Real Estate Foundation*, WIPO Case No. [D2006-1043](#) ("This is clearly a 'typosquatting' case where the disputed domain name is a slight misspelling of a registered trademark to divert internet traffic [...] In fact, the domain name comprises the Complainant's trademark [...] with a single misspelling of an element of the mark: a double consonant 's' at the end.").

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 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. Where, as in this case, the Respondent fails to come forward with any relevant evidence, the Complainant is deemed to have satisfied the second element of the Policy. WIPO Overview, section 2.1.

It is evident that the Respondent, identified by registration data for the disputed domain name as "Derrick Lincoln", is not commonly known by the disputed domain name or the Complainant's VENTUM trademark.

Moreover, UDRP panels have categorically held that use of a domain name for illegal activity—including the impersonation of the complainant and other types of fraud—can never confer rights or legitimate interests on a respondent. Circumstantial evidence can support a credible claim made by the Complainant asserting the Respondent is engaged in such illegal activity, including that the Respondent has masked its identity to avoid being contactable, or that the Respondent's website has been suspended by its hosting provider. [WIPO Overview 3.0](#), section 2.13. See e.g. *Graybar Services Inc. v. Graybar Elec, Grayberinc Lawrence*, WIPO Case No. [D2009-1017](#) ("Respondent has used the domain name to pretend that it is the Complainant and in particular to create false emails pretending that they are genuine emails coming from the Complainant and one of its senior executives"). See also *The Commissioners for HM Revenue and Customs v. Name Redacted*, WIPO Case No. [D2017-0501](#) ("In addition, the disputed domain names [...] have had their web hosting suspended as a result of fraudulent activities. This is evidence of bad faith registration and use of the disputed domain names."). Here, the disputed domain name failed to resolve to any website content at the time the Complaint was filed. However, the Complainant submitted screenshot evidence of the former website content connected to the disputed domain name. It depicts a German-language website titled "Ventum Consultings", which appears to misappropriate the Complainant's nearly identical VENTUM CONSULTING stylized and design trademark. Furthermore, the Complainant credibly alleges that the website content purports to offer identical services as the Complainant, and further purports to share the same physical address as the Complainant. These facts, coupled with (as discussed further below with respect to the third element of the Policy) the Respondent's failure to participate meaningfully in this case, the typosquatted nature of the disputed domain name, the Respondent's use of false registration data, and the Respondent's use of a proxy registration service, all lead the Panel to conclude that the disputed domain name has been registered and used for illegitimate or illegal activity, namely impersonation of the Complainant.

Therefore, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy proscribes the following non-exhaustive circumstances as evidence of bad faith registration and use of the disputed domain name:

- i. Circumstances indicating that the Respondent has registered or the Respondent has acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the Complainant who is the owner of the trademark to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out of pocket costs directly related to the disputed domain name; or
- ii. the Respondent has registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct; or

iii. the Respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or

iv. by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location.

UDRP panels have categorically held that registration and use of a domain name for illegal activity – including impersonation and other types of fraud – is manifestly considered evidence of bad faith within paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.0](#), section 3.1.4. Use of the disputed domain name by the Respondent to pretend that it is the Complainant or that it is associated with the Complainant amounts to bad faith. Here, the Complainant has proffered persuasive and uncontroverted evidence that leads the Panel to conclude the Respondent has used the disputed domain name for illegitimate or illegal activity. Specifically, the Complainant submitted evidence that: the Respondent configured the disputed domain name to resolve to website content that make unauthorized use of the Complainant's VENTUM CONSULTING stylized and design trademark in connection with a purported offers to provide services identical to the Complainant's services; the Respondent intentionally registered the disputed domain name <ventumconsultings.com> to typosquat on and mimic the Complainant's official <ventum-consulting.com> domain; and the Respondent has sought to obfuscate itself and frustrate enforcement through false claims of association with the Complainant's address, a proxy registration service, and false registration data for the disputed domain name.

The act of "typosquatting" or registering a domain name that is a common misspelling of a mark in which a party has rights has often been recognized as evidence of bad faith registration. WIPO Overview, section 3.2.1 ("Particular circumstances UDRP panels take into account in assessing whether the respondent's registration of a domain name is in bad faith include: (i) the nature of the domain name (e.g., a typo of a widely known mark [...]). See also *Paragon Gifts, Inc. v. Domain.Contact*, WIPO Case No. [D2004-0107](#) (citing *National Association of Professional Baseball Leagues, d/b/a Minor League Baseball v. Zuccarini*, WIPO Case No. [D2002-1011](#)); *ESPN, Inc. v. XC2*, WIPO Case No. [D2005-0444](#) (finding that the practice of "typosquatting" is evidence of the bad faith registration of a domain name). The Panel concurs with this approach. It is evident that Respondent registered and used the typosquatted disputed domain name to intentionally attract, for commercial gain, Internet users to the website linked to disputed domain name in a manner that confuses and misleads Internet users. Thus, the Panel infers the Respondent's bad faith based on the fact that the Respondent is trying to lure in unsuspecting victims through mistakes, such as typographical errors made by Internet users, when inputting the expression "ventumconsultings.com" instead of "ventum-consulting.com" into a web browser.

Where it appears that a respondent employs a proxy service, or purposefully selects a Registrar that applies proxy services by default, merely to avoid being notified of a UDRP proceeding filed against it, UDRP panels tend to find that this supports an inference of bad faith. WIPO Overview, section 3.6. Use of a proxy registration service to shield a respondent's identity and elude or frustrate enforcement efforts by a legitimate complainant demonstrates bad-faith use and registration of a disputed domain name. See *Fifth Third Bancorp v. Secure Whois Information Service*, WIPO Case No. [D2006-0696](#) (the use of a proxy registration service to avoid disclosing the identity of the real party in interest is also consistent with an inference of bad faith when combined with other evidence of evasive, illegal, or irresponsible conduct).

Prior UDRP panel determinations have found the use of false registration data in connection with a disputed domain name further supports a finding of bad faith registration and use. See e.g. *Action Instruments, Inc. v. Technology Associates*, WIPO Case No. [D2003-0024](#) ("Providing false contact information violates paragraph 2 of the Policy, which requires a registrant to represent that the statements it 'made in [its] Registration Agreement are complete and accurate.' Maintaining that false contact information in the WHOIS records (which can easily be updated at any time) after registration constitutes bad faith use of the domain name because it prevents a putative complainant from identifying the registrant and investigating the legitimacy of the registration."); *Royal Bank of Scotland Group v. Stealth Commerce*, WIPO Case No. [D2002-0155](#); and *Home Director, Inc. v. HomeDirector*, WIPO Case No. [D2000-0111](#).

The Panel finds 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 that the disputed domain name <ventumconsultings.com> be transferred to the Complainant.

/Phillip V. Marano/

Phillip V. Marano

Sole Panelist

Date: August 25, 2025