

ADMINISTRATIVE PANEL DECISION

Phoenix Contact GmbH & Co. KG v. Justin Wilson
Case No. D2025-2629

1. The Parties

The Complainant is Phoenix Contact GmbH & Co. KG, Germany, represented by Taylor Wessing Partnerschaftsgesellschaft mbB, Germany.

The Respondent is Justin Wilson, United States of America.

2. The Domain Name and Registrar

The disputed domain name <phoenixcontact-us.com> (the “Disputed Domain Name”) is registered with Network Solutions, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 4, 2025. On July 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On July 8, 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 (PERFECT PRIVACY, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 9, 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 11, 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 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 4, 2025.

The Center appointed Monica Novac as the sole panelist in this matter on August 12, 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 Phoenix Contact GmbH & Co. KG, a German company operating in the field of components, systems and solutions in the area of electrical engineering, electronics and automation. As mentioned in Annex 3 to the Complaint, the Phoenix Contact Group of companies (which includes the Complainant) employed around 21,000 people worldwide and had sales of EUR 3 billion in 2024. The Complainant's products and services are available in more than 100 countries through a broad network of subsidiaries and distribution partners.

The Complainant owns nearly 200 trademark registrations for PHOENIX CONTACT worldwide, covering a variety of electrical and electronic goods and services, including but not limited to International Trademark Registration No. 1125907 PHOENIX CONTACT, registered on October 28, 2011 for goods and services in classes 3, 6, 7, 8, 9, 16, 17, 36, 37, 38, 39, 41, 42, designating numerous jurisdictions, including the United States of America, where the Respondent domiciles.

The Complainant's company name PHOENIX CONTACT and its PHOENIX CONTACT trademark are used substantially since 1982 in Germany and also worldwide. The brand has a long history of more than 90 years, and it enjoys a high degree of recognition in the market.

The Complainant also owns the domain name <phoenixcontact.com>, registered on February 20, 1996.

The Respondent is Justin Wilson, apparently located in the United States. The Respondent registered the Disputed Domain Name on June 14, 2025, through Perfect Privacy, LLC, i.e. a privacy service. According to the information provided by the Complainant (also see Annex 5 to the Complaint), the Disputed Domain Name was used to send deceptive and illegitimate payment requests to the Complainant's customers via email. A takedown request was made by the Complainant to the provider Newfold Digital Inc. on July 2, 2025, and the Disputed Domain Name was deactivated. As of the date of this Decision, when accessed by the Panel, the Disputed Domain Name directs to a website which is currently unavailable.

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 the Complainant's PHOENIX CONTACT trademark protected worldwide, as its distinctive element is identical to the Complainant's said trademark. The Disputed Domain Name is also confusingly similar to the Complainant's domain name <phoenixcontact.com> as it entirely incorporates the Complainant's domain name, plus the sign "-us". The Respondent registered the Disputed Domain Name without the Complainant's consent and knowledge.
- the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Complainant's PHOENIX CONTACT trademark has worldwide reputation and benefits of a high degree of market recognition. Thus, the Respondent's registration of the confusingly similar Disputed Domain Name is not a coincidence, but this was filed in awareness of the Complainant's well-known trademarks. The Complainant also contends that the Disputed Domain Name was used to send fraudulent payment requests

to the Complainant's customers via email. In this sense, the Complainant shows that such deceptive communication originated from the e-mail address @phoenixcontact-us.com and contained references to the Complainant's genuine website "www.phoenixcontact.com", giving the impression that the email was actually sent by the Complainant. The Complainant alleges that the Respondent unjustifiably adopted the confusingly similar Disputed Domain Name in order to send phishing emails and that the Respondent has no rights of his own to use the Disputed Domain Name.

- the Disputed Domain Name has been registered and it is being used in bad faith. The Complainant contends that the Respondent was aware of the Complainant and its trademarks when registering the Disputed Domain Name. Moreover, the Respondent used the Disputed Domain Name to send phishing emails with the intent to acquire sensitive information or to gain monetary benefit. The Complainant supports its allegations with respect to the Respondent's bad faith by citing a similar prior UDRP panel decision *Phoenix Contact GmbH & Co. KG v. Lanette Doll, ICP Group*. WIPO Case No. [D2025-0523](#) concerning the domain name <phoenixcontact.com>.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, a complainant to succeed must satisfy the panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name was 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 entirety of the PHOENIX CONTACT trademark is reproduced within the Disputed Domain Name. The Panel finds that the PHOENIX CONTACT 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.

The Disputed Domain Name also contains the sign "-us", however the Panel finds that the addition of this element does not prevent finding a confusing similarity between the Disputed Domain Name and the Complainant's trademark for the purposes of the Policy. The Panel is of the opinion that the sign "-us" represents the common abbreviation for the United States, which coincides with the place of domicile of the Respondent, as well as with the place where one of the Complainant's affiliates is located. According to the [WIPO Overview 3.0](#), section 1.8, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.

According to the [WIPO Overview 3.0](#), section 1.11.1, the gTLD “.com” in the Disputed Domain Name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Further to all the above, 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.

According to the Complainant, the Respondent registered the Disputed Domain Name without the consent and knowledge of the Complainant. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name.

The Disputed Domain Name consists of the Complainant’s PHOENIX CONTACT trademark, plus the term “-us” (which may be the abbreviation for the United States, i.e. the place where one of the Complainant’s affiliates is located). The Panel notes that the composition of the Disputed Domain Name carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1. In view of the above, the Panel is of the opinion that the Respondent registered the Disputed Domain Name only for the purpose of misleading or causing confusion with the Complainant, its business and the goods/services offered by the Complainant.

As of the date of this Decision, the Disputed Domain Name directs to a website which is currently unavailable. However, the Disputed Domain Name was used to send illegitimate payment requests to the Complainant’s customers via email, masking the real identity of the Respondent who deceitfully presented himself as the Complainant’s Key Account Manager. The Respondent’s use of the Disputed Domain Name for illegal activities (e.g. phishing, impersonation/passing off or other types of fraud) does not confer rights or legitimate interests to the Respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Respondent did not respond to the Complainant’s contentions, thus the Respondent did not present any evidence for supporting any rights or legitimate interests in the Disputed Domain Name.

Further to all 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 Complainant registered and used its PHOENIX CONTACT trademark long before the Respondent registered the Disputed Domain Name. In view of the worldwide reputation of the Complainant, the recognition and well-known character of its trademark and the composition of the Disputed Domain Name, it is unlikely that the Respondent was not aware of the Complainant's trademark and business when registering the Disputed Domain Name. The Panel considers that the Respondent's registration of the Disputed Domain Name which is confusingly similar to the Complainant's trademark creates a false association or affiliation with the Complainant and it is clear proof of the Respondent's bad faith.

In view of the nature of the Disputed Domain Name which totally incorporates the Complainant's PHOENIX CONTACT trademark plus the term "-us" (which may be the abbreviation for the United States, i.e. the place where one of the Complainant's affiliates is located), the Panel considers that the Respondent targeted the Complainant when registering the Disputed Domain Name.

The evidence presented in this case shows that the Respondent, masking his real identity and deceitfully presenting himself as the Complainant's Key Account Manager, used the Disputed Domain Name to send illegitimate payment requests to the Complainant's customers via email. The Panel considers that the Respondent's acts mislead the third parties who erroneously believe that the communications originate from the Complainant or are endorsed by the Complainant, especially as the sender's signature thereof refers to the Complainant's website www.phoenixcontact.com and contains the real address of the Complainant's affiliate in the United States, namely "586 Fulling Mill Road, Middletown, PA 17057 USA". The Panel is of the opinion that the Respondent's use of the Disputed Domain Name in connection to the above illegitimate activities (e.g. sending deceptive emails, phishing, impersonation) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Finally, the Respondent hid his identity when registering the Disputed Domain Name by using a privacy shield service. As per [WIPO Overview 3.0](#), section 3.6, there are recognized legitimate uses of privacy and proxy registration services; the circumstances in which such services are used, including whether the respondent is operating a commercial and trademark-abusive website, can impact a panel's assessment of bad faith. The Panel is of the opinion that in view of all circumstances of this case, the Respondent's use of privacy service constitutes further evidence of bad faith registration and use of the Disputed Domain Name.

Further to all the above, the Panel finds 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 <phoenixcontact-us.com> be transferred to the Complainant.

/Monica Novac/

Monica Novac

Sole Panelist

Date: August 26, 2025