

ADMINISTRATIVE PANEL DECISION

William Grant & Sons Limited v. Daniel Bachhiesl, DES GmbH
Case No. D2025-2949

1. The Parties

The Complainant is William Grant & Sons Limited, United Kingdom, represented by Demys Limited, United Kingdom.

The Respondent is Daniel Bachhiesl, DES GmbH, Germany.

2. The Domain Name and Registrar

The disputed domain name <wgrant.cam> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 24, 2025. On July 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 25, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 25, 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 August 6, 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 August 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 1, 2025.

The Center appointed Piotr Nowaczyk as the sole panelist in this matter on September 10, 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 company founded in 1887 that distills, markets, and distributes Scotch whisky and other spirits under brands including GLENFIDDICH, BALVENIE, GRANT'S, HENDRICK'S gin, and TULLAMORE D.E.W.

The Complainant asserts common law rights in the WGRANT trademark arising from its continuous use of the official domain name <wgrant.com> since 1996 for corporate email and internal services.

The Complainant contends that WGRANT, an abbreviation of its company name and founder's name, has become closely associated with its business through millions of emails sent globally and consistent third-party references.

The Complainant is also the owner of numerous GRANT'S trademark registrations, including:

- the United States of America Trademark Registration for GRANT'S (word) No. 346426, registered on May 25, 1937;
- the Canadian Trademark Registration for GRANT'S (word) No. NFLD2054, registered on May 31, 1934; and
- the United Kingdom Trademark Registration for GRANT'S (word) No. UK00000542300, registered on June 15, 1933.

The Domain Name was registered on April 3, 2025.

The Complainant submits that the Domain Name was used to impersonate one of its employees in a phishing scheme. Starting on April 3, 2025, fraudulent emails were sent to a supplier seeking unauthorized payments. The scheme came to light when the Complainant's genuine employee raised the alarm after concerns were reported by the supplier.

Both at the time of filing the Complaint and as of the date of this Decision, the Domain Name has not resolved to any active website.

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 Domain Name.

First, the Complainant contends that the Domain Name is identical or confusingly similar to the trademark in which the Complainant has rights.

Second, the Complainant argues that the Respondent has neither rights nor legitimate interests in the Domain Name.

Third, the Complainant submits that the Domain Name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy places a burden on the Complainant to prove the presence of three separate elements, which can be summarized as follows:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

The requested remedy may only be granted if the above criteria are met. At the outset, the Panel notes that the applicable standard of proof in UDRP cases is the "balance of probabilities" or "preponderance of the evidence". See section 4.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

A. Identical or Confusingly Similar

Under the first element, the Complainant must establish that the Domain Name is identical or confusingly similar to the trademark in which the Complainant has rights.

The Complainant relies primarily on its common law rights in the WGRANT trademark. It is well-established that the term "trademark or service mark" as used in UDRP paragraph 4(a)(i) encompasses both registered and unregistered trademarks. See section 1.1 of the [WIPO Overview 3.0](#).

To establish unregistered or common law trademark rights for purposes of the UDRP, the Complainant must show that its trademark has become a distinctive identifier which consumers associate with the Complainant's goods and/or services. See section 1.3 of the [WIPO Overview 3.0](#).

The Panel considers that the Complainant has demonstrated such acquired distinctiveness. This is supported by the fact that WGRANT is an abbreviation of the Complainant's name and its founder's name. Search engine results show that the term is closely linked to the Complainant and its products. The Complainant has used <wgrant.com> since 1996 for corporate email and internal services. More than 2,800 employees use "@wgrant.com" addresses, and millions of emails have been sent worldwide. Third-party articles also reference the domain name <wgrant.com>. Prior UDRP precedent has confirmed the Complainant's unregistered rights. Accordingly, the Panel finds that the Complainant has established common law rights in the WGRANT mark for purposes of the UDRP.

The Domain Name incorporates the Complainant's WGRANT unregistered trademark in its entirety. As numerous UDRP panels have held, incorporating a trademark in its entirety is sufficient to establish that a domain name is identical or confusingly similar to that trademark (see *PepsiCo, Inc. v. PEPSI, SRL (a/k/a P.E.P.S.I.)* and *EMS COMPUTER INDUSTRY (a/k/a EMS)*, WIPO Case No. [D2003-0696](#)).

Moreover, the Complainant holds valid registrations for the GRANT'S trademark. When comparing the Domain Name with the GRANT'S trademark, the sufficiently recognizable element "Grant" remains. The only differences are the omission of the apostrophe and the letter "s", and the addition of a "w" at the beginning. Panels have consistently held that a domain name comprising a common, obvious, or intentional misspelling of a trademark is confusingly similar to that mark. See section 1.3 of the [WIPO Overview 3.0](#).

The generic Top Level Domain “.cam” in the Domain Names is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. See section 1.11.1 of the [WIPO Overview 3.0](#).

Given the above, the Panel finds that the Domain Name is identical to the Complainant’s unregistered WGRANT trademark and is confusingly similar to its registered GRANT’S trademark. Thus, the Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Under the second requirement, the Complainant must prove that the Respondent has no rights or legitimate interests in the Domain Name.

The respondent may establish a right or legitimate interest in the domain name by demonstrating in accordance with paragraph 4(c) of the Policy any of the following:

- (i) that it has used or made preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) that it is commonly known by the domain name, even if it has not acquired any trademark rights; or
- (iii) that it is making a legitimate, noncommercial, or fair use of the domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

Based on the records, the Panel finds that the Complainant has established a prima facie case that the Respondent does not have any rights or legitimated interests in the Domain Name, and the burden of production shifts to the Respondent. See section 2.1 of the [WIPO Overview 3.0](#). Although given the opportunity, the Respondent has not submitted any evidence indicating that any of the circumstances foreseen in paragraph 4(c) of the Policy are present in this case.

On the contrary, it results from the evidence on record that the Complainant’s unregistered WGRANT trademark, as well as the GRANT’S trademark registrations, predate the Respondent’s registration of the Domain Name. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use these trademarks or to register the Domain Name incorporating these trademarks. There is also no evidence to suggest that the Respondent has been commonly known by the Domain Name.

Moreover, it results from the evidence on record that the Respondent does not make use of the Domain Name in connection with a bona fide offering of goods or services, nor does it make a legitimate noncommercial or fair use of the Domain Name. On the contrary, both at the time of filing the Complaint and as of the date of this Decision, the Domain Name has not resolved to any active website. Previously, the Domain Name was used to impersonate one of its employees in a phishing scheme, sending fraudulent emails to the Complainant’s supplier in an attempt to obtain unauthorized payments. Such use of the Domain Name is inherently fraudulent and cannot confer any rights or legitimate interests upon the Respondent. Panels have categorically held that the use of a domain name for illegal activity (e.g. phishing) can never confer rights or legitimate interests on a respondent. See section 2.13 of the [WIPO Overview 3.0](#).

Finally, based on the composition of the Domain Name, which consists exclusively of the Complainant’s unregistered WGRANT trademark, the Domain Name carries a high risk of implied affiliation. See section 2.5.1 of the [WIPO Overview 3.0](#).

In sum, the Respondent has failed to invoke any circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests in respect of the Domain Name. Thus, there is no evidence in the case file that refutes the Complainant’s prima facie case. The Panel concludes that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under the third element, the Complainant must prove that the Domain Name has been registered and is being used in bad faith.

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark. See section 3.1 of the [WIPO Overview 3.0](#).

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use includes without limitation:

- (i) circumstances indicating the domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the owner of a trademark or to a competitor of the trademark owner, for valuable consideration in excess of the documented out-of-pocket costs directly related to the domain name; or
- (ii) circumstances indicating that the domain name was registered in order to prevent the owner of a trademark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) circumstances indicating that the domain name was registered primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the domain name has intentionally been used in an attempt to attract, for commercial gain, Internet users to a website or other online location, by creating a likelihood of confusion with a trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on a website or location.

As indicated above, the Complainant's unregistered WGRANT trademark, as well as the GRANT'S trademark registrations, predate the registration of the Domain Name. The Panel finds that the Respondent was or should have been aware of the Complainant's trademark at the time of registration. This finding is supported by the composition of the Domain Name, which consists solely of the Complainant's unregistered WGRANT trademark, as well as by the Respondent's use of the Domain Name to impersonate one of the Complainant's employees in a phishing scheme. Moreover, it has been proven to the Panel's satisfaction that the Complainant's WGRANT and GRANT'S trademarks are well known and unique to the Complainant, at least in the fields of spirit products. Thus, the Respondent could not ignore the reputation of products under this trademark. In sum, the Respondent in all likelihood registered the Domain Name with the expectation of taking advantage of the reputation of the Complainant's WGRANT and GRANT'S trademarks.

Next, the Domain Name has been used by the Respondent in bad faith. As established above, the Complainant showed that the Domain Name was used to impersonate one of its employees in a phishing scheme, sending fraudulent emails to the Complainant's supplier in an attempt to obtain unauthorized payments. UDRP Panels have held that the use of a domain name for such purposes as phishing constitute bad faith. See section 3.4 of the [WIPO Overview 3.0](#).

Finally, the Panel considers the Respondent's use of a privacy service to conceal its registration information as additional evidence of bad faith.

For the reasons discussed above, the Panel finds that 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 Domain Name <wgrant.cam> be transferred to the Complainant.

/Piotr Nowaczyk/

Piotr Nowaczyk

Sole Panelist

Date: September 22, 2025