

ADMINISTRATIVE PANEL DECISION

Liebherr-International AG v. martin dofman
Case No. D2025-3383

1. The Parties

The Complainant is Liebherr-International AG, Switzerland, represented by Bettinger Scheffelt Partnerschaft mbB, Germany.

The Respondent is martin dofman, Canada.

2. The Domain Name and Registrar

The disputed domain name <liebher-group.com> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 22, 2025. On August 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 22, 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 (Administrator Domain, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 26, 2025, disclosing the Respondent information revealed by the Registrar and inviting the Complainant to file an amendment to the Complaint. The Complainant filed an amended Complaint on September 10, 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 September 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 6, 2025.

The Center appointed Delia-Mihaela Belciu as the sole panelist in this matter on October 13, 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 multinational group of companies founded in 1949 and headquartered in Switzerland and Germany. It is one of the world's largest manufacturers of construction machinery and also operates in numerous other sectors, including mining equipment, aerospace and transportation systems, machine tools, refrigeration and domestic appliances.

The Liebherr Group employs over 50,000 people worldwide and operates more than 140 companies across all continents. Its products and services are recognized globally for their high quality, innovation, and reliability.

The Complainant owns numerous trademark registrations incorporating the mark LIEBHERR in several jurisdictions, among which:

- the International Trademark Registration No. 860617 for LIEBHERR, registered on April 26, 2005, for goods in classes 7, 9, 11, and 12;
- the International Trademark Registration (figurative) No. 1276186 for LIEBHERR, registered on February 24, 2015, for goods in classes 1, 4, 7, 8, 9, 11, 12, 14, 16, 18, 21, 24, 25, 26, 28, and 34; and
- the International Trademark Registration No. 1382828 for LIEBHERR, registered on July 25, 2017, for services in classes 35, 36, 37, 38, 39, 41, 42, 43, 44, and 45.

The designation LIEBHERR also serves as the company name and business identifier of the Complainant and of the Liebherr Group of companies, founded in 1949 by Mr. Hans Liebherr.

The Complainant's group of companies own several the domain names, among which are <liebherr.com>, registered on March 5, 1996, <liebherrgroup.com>, registered on March 2, 2021, <liebherr-group.com>, register on January 11, 2016, <liebherr.us>, registered on July 12, 2002.

The Liebherr Group, including the Complainant, promotes its products and services globally through its main website corresponding to the domain name <liebherr.com> (available in German and English) and markets and distributes its products and services worldwide through a vast sales and service network consisting of subsidiaries, contractual partners, and distributors.

The disputed domain name <liebher-group.com> was registered on June 24, 2025, and it is configured, according to the evidence filed by the Complainant in the file, with a 301 redirect to the Liebherr Group's, from which the Complainant is a part of, official website "www.liebherr.com". In addition, according to the evidence available in the file, a Mail Exchange ("MX") record for the disputed domain name was configured.

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:

(i) the disputed domain name is confusingly similar to its LIEBHERR mark as it reproduces the mark with the mere omission of one "r" and the addition of the descriptive term "group";

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name for a number of reasons, among which that, (1) the Respondent is not a licensee of the Complainant and is not affiliated with the Complainant in any way, (2) the Complainant has not granted any authorization for the Respondent to make use of its LIEBHERR mark in a domain name or otherwise, (3) the Respondent is not commonly known by the disputed domain name, (4) the registration of the disputed domain name with a minor misspelling of the Complainant's LIEBHERR mark combined with the generic term "group" is a classic case of typosquatting, (5) the disputed domain name is configured with MX records pointing to an active mail system, which strongly suggests use for email purposes, which creates a serious risk of phishing or fraud, (6) the disputed domain name is configured with a 301 redirect to the Liebherr Group's, from which the Complainant is a part of, official website "www.liebherr.com". Such redirection does not establish any independent right or legitimate business of the Respondent, rather, it reinforces the risk of confusion by deceiving Internet users into believing that the disputed domain name is affiliated with or endorsed by the Complainant;

(iii) the disputed domain name was registered and is being used in bad faith for a number of reasons, among which that, (1) the LIEBHERR mark is distinctive and internationally well known. The Respondent's registration of the disputed domain name which is omitting a single letter from LIEBHERR mark and appending the generic term "group" demonstrates clear awareness of the Complainant's LIEBHERR mark and an intentional attempt to target and trade on the Complainant's brand and reputation, (2) the disputed domain name is configured with MX records pointing to an active mail system, suggesting preparation for use in email services. Given the confusing similarity of the disputed domain name to the Complainant's LIEBHERR mark, any such use carries a high risk of phishing or other fraudulent activity, (3) the disputed domain name is configured with a 301 redirect to the Liebherr Group's, including the Complainant's, official website "www.liebherr.com".

B. Respondent

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

6. Discussion and Findings

In order for the Complainant to succeed, such must prove, according to paragraph 4(a) of the Policy, that:

(i) the disputed 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 with respect to the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

In case all three elements above have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. Thus, the Panel will deal with each of the requirements in turn.

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 finds the mark is recognizable within the disputed domain name. The disputed domain name incorporates the Complainant's LIEBHERR trademark with a misspelling represented by the omission of one "r" from the end of the mark, followed by a dash and the addition of the descriptive term "group", which is not sufficient to prevent the finding that the disputed domain name is confusingly similar to the Complainant's trademark LIEBHERR. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.9.

Although the addition of the term "group", may bear on assessment of the second and third elements, the Panel finds the addition of such term 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 what concerns the addition of the generic Top-Level Domain ("gTLD") ".com" in relation to the disputed domain name, such is viewed as a standard registration requirement, and is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, the Panel 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.

Based on the available evidence, the Respondent does not appear to be commonly known by the name “Liebhergroup”, is not affiliated with the Complainant, nor has the Complainant’s authorization to use the LIEBHERR mark.

Moreover, the disputed domain name appears to be configured with a 301 redirect to the Liebherr Group’s, from which the Complainant is a part of, official website “www.liebherr.com”, while a MX record was configured in relation to this disputed domain name which could lead to a possible risk of a fraudulent activity. The Respondent’s use of the Complainant’s mark to redirect users to the Complainant’s own site would not support a claim to rights or legitimate interests. [WIPO Overview 3.0](#), section 2.5.3.

When the disputed domain name may be used for a fraudulent activity, panels have held that the use of a domain name for an illegal activity, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Furthermore, the composition of the disputed domain name, incorporating the Complainant’s LIEBHERR trademark with a misspelling represented by the omission of one “r” from the end of the mark, followed by a dash and the addition of the descriptive term “group” signals an intention on the part of the Respondent to confuse users seeking or expecting the Complainant and as such, carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

All the above does not amount to a bona fide offering of goods or services, nor to a legitimate noncommercial or fair use of the disputed domain name.

Based on the available record, the Panel finds that 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.

In the present case, the Panel notes that the Complainant’s rights in the LIEBHERR mark predate the registration date of the disputed domain name by years.

In light of the above, and of the composition of the disputed domain name, the Panel finds that it is not conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant’s LIEBHERR mark, which supports a finding of bad faith registration. [WIPO Overview 3.0](#), section 3.2.2.

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 disputed domain name appears to be configured with a 301 redirect to the Liebherr Group’s, from which the Complainant is a part of, official website “www.liebherr.com”, while a MX record was configured in relation to this disputed domain name which could lead to a possible risk of a fraudulent activity.

When the disputed domain name may be used for a fraudulent activity, panels have held that the use of a domain name for an illegal activity 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 and 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 <liebher-group.com> be transferred to the Complainant.

/Delia-Mihaela Belciu/

Delia-Mihaela Belciu

Sole Panelist

Date: October 27, 2025