

ADMINISTRATIVE PANEL DECISION

The Procter & Gamble Company, Braun GmbH v. Lowe Abbey, Abbey Lowe
Case No. D2025-3385

1. The Parties

The Complainants are The Procter & Gamble Company (the “First Complainant”), United States of America and Braun GmbH (the “Second Complainant”), Germany, represented by Studio Barbero S.p.A., Italy.

The Respondent is Lowe Abbey, Abbey Lowe, United States of America.

2. The Domain Name and Registrar

The disputed domain name <braunmarket.com> is registered with CNOBIN Information Technology Limited (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 26, 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) and contact information in the Complaint. The Center sent an email communication to the Complainants on August 26, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amendment to the Complaint on the same day.

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 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 17, 2025.

The Center appointed Elizabeth Ann Morgan as the sole panelist in this matter on September 24, 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 First Complainant is the mother company of the Second Complainant and the formal registrant of the majority of the domain names consisting of the BRAUN trademark. The Second Complainant instead is the owner of the majority of the trademark registrations for BRAUN (including the ones cited in the Complaint, while in some other jurisdictions the ownership could be in the name of other subsidiaries of the First Complainant).

The Complainants are the owners of numerous trademark registrations for BRAUN in several countries, including the following, all at present registered in the name of the Second Complainant: 1) International Trademark Registration No. 652027 for BRAUN (word mark), registered on November 14, 1995, in Classes 11, 14, 16, 21, 26, 35 and 37; 2) International Trademark Registration No. 650428 for BRAUN (word mark), registered on November 14, 1995, in Classes 1, 3, 7, 8, 9, 10, 11; and 3) European Union Trademark Registration No. 000394122 for BRAUN (word mark), filed on October 14, 1996, and registered on August 17, 1999, in Classes 1, 3, 7, 8, 9, 10, 11, 14, 16, 21, 26, 35 and 37.

The First Complainant is one of the largest companies in the world and manufactures a wide range of consumer goods in diverse areas such as health care (baby, child, feminine care, etc.), hair care, cosmetics, laundry and fabrics care. The First Complainant was founded in 1837 by William Procter and James Gamble, that began as a family run candle and soap business what would eventually grow into one of the largest and most profitable consumer goods company in the world. At the beginning the products were produced and commercialized in Cincinnati, United States of America, but progressively the First Complainant's business expanded worldwide. In 2005, the First Complainant announced the acquisition of the Gillette Company becoming one of the largest consumer goods company. This operation added BRAUN to its portfolio since the Gillette Company had become the owner of this brand in 1984, after having purchased a controlling interest in the Second Complainant in 1967.

The Second Complainant was founded back in 1921 by a man named Max Braun, that started as a small engineering shop in Frankfurt am Main, Germany. Max Braun's first product was a transmission belt connector that substantially reduced wear on transmission belts, and, in 1929, he entered the radio industry, developing various items in said field. The Second Complainant in the 1950s further expanded its business by launching the first electronic razors and a multimix kitchen blender, entering the shaving and the kitchen and household appliances segments. At the end of the 1960s, the BRAUN product portfolio included radios and phonographic, televisions, shavers, kitchen appliances, lighters and photographic equipment and the acquisition of the controlling interest in the Second Complainant by the Gillette Company – which at that time was already a major industrial giant – opened up new sales channels for BRAUN items in 145 countries. After its acquisition in October 2005 by the First Complainant, the Second Complainant became one of 23 global brands in the consumer goods group that achieve annual sales of more than one billion US dollars.

In order to protect their trademarks also on the Internet, Complainants have registered hundreds of domain names worldwide consisting of or comprising the sign BRAUN (including variations thereof), including <braun.com>, registered on June 24, 1997 in the name of the First Complainant and used for Complainants' principal website dedicated to BRAUN, where BRAUN products are advertised and also offered for sale.

The disputed domain name was registered by the Respondent, on August 5, 2025, and has been directed by the Respondent to a website in Japanese language featuring the BRAUN trademark and offering for sale purported BRAUN products at discounted prices.

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend that the disputed domain name incorporates the whole of the Complainants' BRAUN trademark. The fact that the disputed domain name differs from the Complainants' trademark by the mere addition of the descriptive term "market" does not affect the confusing similarity. Rather, the combination of the BRAUN trademark with the term "market" may increase confusion as the term "market" is descriptive of a location where consumers can shop for branded items.

The Complainants contend that the Respondent is not a licensee, authorized agent of the Complainants or in any other way authorized to use the Complainants' trademark BRAUN. Specifically, the Respondent has not been authorized to register and use the disputed domain name.

In view of the above-described use of the disputed domain name and in light of Internet users' presumption of reliability in registrations incorporating trademarks, it is very likely that users could be misled as to the source, sponsorship or affiliation of Respondent's website. Such likelihood of confusion was increased by the absence of a clear and prominent disclaimer of non-affiliation on the website. The low prices of the products offered for sale on Respondent's website suggests that the alleged BRAUN products sold by Respondent could be counterfeit, a circumstance which is of particular concern to the Complainants, as counterfeit razors could potentially harm the Complainants' customers, damaging their skin.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

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 Complainants' trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainants have 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 mark BRAUN is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, market, 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.

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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainants’ 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.

Panels have held that the use of a domain name for illegitimate activity here, claimed sale of counterfeit goods or impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed sale of counterfeit goods and impersonation/passing off, 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.

The Panel finds that the Complainants have 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 <braunmarket.com> be transferred to the Second Complainant.

/Elizabeth Ann Morgan/

Elizabeth Ann Morgan

Sole Panelist

Date: October 8, 2025