

## **ADMINISTRATIVE PANEL DECISION**

Lincoln Global, Inc., The Lincoln Electric Company v. Barbara Blue  
Case No. D2025-3431

### **1. The Parties**

Complainants, The Lincoln Electric Company and Lincoln Global, Inc, collectively referred to as “Complainant”, both from United States of America (“U.S.”), represented by CSC Digital Brand Services Group AB, Sweden.

Respondent is Barbara Blue, U.S.

### **2. The Domain Name and Registrar**

The disputed domain name <lincolnelectric-us.com> (the “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 August 26, 2025. On August 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 27, 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 (Perfect Privacy, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on August 27, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on August 27, 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 Respondent of the Complaint, and the proceedings commenced on August 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 18, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 22, 2025.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on October 3, 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**

Complainant, founded in 1895 to sell electric motors, has since expanded globally to provide the design, development and manufacture of arc welding products, robotic arc welding systems, and cutting equipment. Headquartered in Cleveland, Ohio, Complainant operates 71 manufacturing and automation system integration locations across 21 countries and maintains a worldwide network of distributors and sales offices serving customers in over 160 countries. Complainant has more than 12,000 employees globally, reporting sales of USD 4.2 billion in 2023.

Complainant owns numerous registered trademarks with the LINCOLN ELECTRIC mark, including:

- U.S. registered trademark number 2350082 for the LINCOLN ELECTRIC word mark, registered on May 16, 2000;
- U.S. registered trademark number 2420805 for the LINCOLN ELECTRIC word mark, registered on January 16, 2001;
- Canadian registered trademark number TMA573494 for the LINCOLN ELECTRIC word mark, registered on January 13, 2003; and
- European Union registered trademark number 004725941 for the LINCOLN ELECTRIC word mark, registered on November 27, 2006.

With a large Internet presence, Complainant also owns over 325 domain names which incorporate the LINCOLN ELECTRIC trademark, including its primary domain name <lincolnelectric.com>.

The Domain Name was registered on June 20, 2025, and at the time of filing of the Complaint, resolved to a website that allegedly promoted the services of a barbershop in Florida, U.S. At the time of the Decision, the Domain Name redirected to an inactive or error page.

On July 29, 2025, Complainant's representative sent a letter to Respondent, explaining Complainant's business, trademark ownership and registrations, and requesting Respondent to cease use of the Domain Name, along with a request to transfer the Domain Name to Complainant. Respondent did not reply.

#### **5. Parties' Contentions**

##### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that (i) the Domain Name is confusingly similar to Complainant's trademarks; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has trademark registrations for LINCOLN ELECTRIC and that Respondent registered and is using the Domain Name with the intention to confuse and redirect Internet users looking for bona fide and well-known LINCOLN ELECTRIC products and services.

Complainant notes that it has no affiliation with Respondent, and that Respondent is hosting a website that redirected to a website featuring content unrelated to Complainant and its services, in an effort to confuse and redirect Internet users to Respondent's site.

Complainant further contends that Respondent is using the Domain Name as a tool to exploit Complainant's reputation for its own commercial gain, and that Respondent has no rights or legitimate interests in the Domain Name. Further, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights.

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

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

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

Section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case, Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

### **A. Identical or Confusingly Similar**

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See [WIPO Overview 3.0](#), section 1.2.1.

Complainant has provided evidence of its rights in the LINCOLN ELECTRIC trademarks, as noted above under section 4. Complainant has therefore proven that it has the requisite rights in the LINCOLN ELECTRIC trademarks.

With Complainant's rights in the LINCOLN ELECTRIC trademarks established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain ("TLD") in which it is registered (in this case, ".com"), is identical or confusingly similar to Complainant's trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is confusingly similar to Complainant's LINCOLN ELECTRIC trademarks. The LINCOLN ELECTRIC trademark is recognizable in the Domain Name.

In particular, the Domain Name's inclusion of Complainant's LINCOLN ELECTRIC trademark in its entirety, with the absence of a space between LINCOLN and ELECTRIC and the addition of a hyphen, "-", and the letters "us" following the LINCOLN ELECTRIC mark, does not prevent a finding of confusing similarity between the Domain Name and the LINCOLN ELECTRIC trademarks respectively.

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

## **B. Rights or Legitimate Interests**

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is more likely than not that Respondent was, and is, aware of Complainant and its LINCOLN ELECTRIC trademarks, and does not have any rights or legitimate interests in the Domain Name. In addition, Complainant asserts that Respondent is not authorized to promote Complainant's goods or services and is not related to Complainant. Respondent is also not known to be associated with the LINCOLN ELECTRIC trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Name.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, at the time of filing of the Complaint, Respondent has used the Domain Name to host a website that promoted the services of an alleged barbershop in Florida, U.S. The barbershop in question is named "Southcorner Barbershop", purportedly located in Orlando, Florida. A review of the evidence provided indicated that there is no explanation of any connection between the barbershop and the Domain Name. In the current situation, because of Complainant's strong connection to the LINCOLN ELECTRIC trademarks, and the lack of any apparent reason for the Domain Name to resolve to the barbershop website, the use of the Domain Name essentially misleads or diverts consumers who are looking for Complainant's products and services to Respondent's website.

More particularly, in the current situation, because of Complainant's well-established and well-known reputation, such use of the Domain Name by Respondent is opportunistic and does not bestow any rights or legitimate interests on Respondent, particularly where there is no evidence showing Respondent has been commonly known by the Domain Name. See *Victoria Beckham v. David James*, WIPO Case No. [D2017-0035](#) ("it is immaterial that Internet users, having viewed the parking page, may realize that it is unconnected with the Complainant or her business. It is sufficient that such users will have visited the website to which the disputed domain name points in the mistaken belief that it is likely to be connected with her. In other words, it is the characteristics of the disputed domain name itself, particularly when identical to the Complainant's trademark which raises a heightened risk of impermissible impersonation, which creates the likelihood of confusion"). See also *Tata Sons Limited v. TATA Telecom Inc./Tata-telecom.com, Mr. Singh*, WIPO Case No. [D2009-0671](#) ("when a domain name is so obviously connected with a Complainant, its very use by a registrant with no connection to the Complainant suggests 'opportunistic bad faith'").

Accordingly, Complainant has provided evidence supporting its prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

## **C. Registered and Used in Bad Faith**

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your 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 your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided ample evidence to show that registration and use of the LINCOLN ELECTRIC trademarks long predate the registration of the Domain Name. Complainant is also well established and known. Indeed, the record shows that Complainant’s LINCOLN ELECTRIC trademarks and related products and services are widely known and recognized. Therefore, the Panel is of the view that Respondent was aware of the LINCOLN ELECTRIC trademarks when it registered the Domain Name. See [WIPO Overview 3.0](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

The Panel thus finds that Respondent’s awareness of Complainant’s trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Further, the composition of the Domain Name, which includes Complainant’s LINCOLN ELECTRIC trademark and a hyphen “-” followed by additional letters “us”, most likely referring to the U.S. where Complainant is located, suggests Respondent’s actual knowledge of Complainant’s rights in the LINCOLN ELECTRIC trademarks at the time of registration of the Domain Name and its effort to opportunistically capitalize on the registration and use of the Domain Name.

Moreover, Respondent registered and is using the Domain Name to confuse and mislead consumers looking for bona fide and well-known LINCOLN ELECTRIC products and services of Complainant or authorized partners of Complainant. In particular, at the time of filing of the Complaint, Respondent used the Domain Name in an attempt to direct or lure Internet users looking for Complainant’s products and services to an alleged barbershop that does not appear to have any connection to or any plausible explanation for using the mark LINCOLN ELECTRIC. See *Intel Corporation v. The Pentium Group*, WIPO Case No. [D2009-0273](#) (in which the panel stated that, “[t]he incorporation of a well known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith”). See also *Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#) (“‘VEUVECLICQUOT.ORG’ is so obviously connected with such a well-known product that its very use by someone with no connection with the product suggests opportunistic bad faith.”).

In addition, the Domain Name has active mail exchange (“MX”) records, which could potentially be used for phishing purposes. Given the reputation of Complainant, Respondent’s lack of rights or legitimate interests in the Domain Name, and the confusing nature of the Domain Name as compared to Complainant’s

LINCOLN ELECTRIC trademarks, the potential of damage that may be caused through the use of email communications not originating from Complainant could be significant. See *bioMérieux v. Registration Private, Domains By Proxy, LLC / Milton Bardmess*, WIPO Case No. [D2020-3499](#).

The Panel also takes note that a general search<sup>1</sup> for “Southcorner Barbershop” in Orlando, Florida, retrieved content that is very similar to that Complainant submitted at the time of filing of the Complaint, but the content is now relocated under a different domain name. However, under the “About” section of the website, the user is presented with information on how to “[e]dit this text...to include information about how your company came to be” – appearing to be a template to advertise or promote use of editable web content by the Internet user. This supports Complainant’s assertion that Respondent was using the Domain Name as a “bait-and-switch” tactic to lure Internet users looking for Complainant’s products and services, for Respondent’s own commercial gain, reinforcing Respondent’s efforts of “opportunistic bad faith”.

Further, the Panel also notes the failure of Respondent to submit a response to Complainant’s cease and desist letter as well as to the Complaint.

Accordingly, the Panel finds that Respondent registered and is using the Domain Name in bad faith and Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <lincolnelectric-us.com> be transferred to Complainant.

*/Kimberley Chen Nobles/*

**Kimberley Chen Nobles**

Sole Panelist

Date: October 17, 2025

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<sup>1</sup> Noting the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, panels may undertake limited factual research into matters of public record if they would consider such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8.