

ADMINISTRATIVE PANEL DECISION

Georg Neumann GmbH v. userdc dger
Case No. D2025-3650

1. The Parties

The Complainant is Georg Neumann GmbH, Germany, represented by Bettinger Scheffelt Partnerschaft mbB, Germany.

The Respondent is userdc dger, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <neumannusa.shop> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 9, 2025. On September 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 11, 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 Purposes, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 12, 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 September 15, 2025.

The Center verified that the Complaint together with 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 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 17, 2025.

The Center appointed David Taylor as the sole panelist in this matter on October 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

Founded in 1929, the Complainant is a German limited liability company that manufactures studio audio equipment including studio microphones, monitor loudspeakers, headphones, and audio interfaces. Since 1991, the Complainant has been a wholly-owned subsidiary of the Sennheiser Group. The Complainant's products are sold in over 50 countries.

The Complainant is the owner of trademark registrations for NEUMANN, including:

- European Union Trade Mark No. 000221440, NEUMANN, registered on September 3, 1998; and
- International Registration No. 1838929, NEUMANN, registered on October 15, 2024.

The Complainant's parent company, Sennheiser electronic SE & Co. KG, is the registrant of domain names comprising the Complainant's NEUMANN trademark, including <neumann.com>, which resolves to the Complainant's official website.

The disputed domain name was registered on July 21, 2025. The disputed domain name resolves to a website that displays the Complainant's NEUMANN trademark in its header and purports to sell the Complainant's products (the "Respondent's website"). The products listed for sale on the Respondent's website are offered at substantially discounted prices.

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.

The Complainant asserts rights in the trademark NEUMANN. The Complainant submits that the disputed domain name is confusingly similar to its trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant contends that the Respondent is using the disputed domain name to impersonate the Complainant and to operate an online store aimed at misleading Internet users into believing that the Respondent's website is an official sales channel for the Complainant's products. The Complainant asserts that the products offered for sale on the Respondent's website may be counterfeit.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant argues that the Respondent was aware of the Complainant and its trademark when registering the disputed domain name. The Complainant further submits that the Respondent's use of the disputed domain name in connection with a website that seeks to impersonate the Complainant, offering what appear to be counterfeit goods or aimed at misleading Internet users into purchasing goods that are not provided by the Respondent, amounts to use of the disputed domain name in bad faith.

The Complainant requests transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to prevail, the Complainant must demonstrate that it has satisfied the requirements of paragraph 4(a) of the Policy:

- (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 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 Panel finds that the Complainant has established rights in the NEUMANN trademark, the registration details of which are provided in the factual background section above. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name comprises the Complainant's NEUMANN trademark as its leading element, followed by the letters "usa", ostensibly as a reference to the United States, under the generic Top-Level Domain ("gTLD") ".shop". The Panel finds the Complainant's trademark to be recognizable in the disputed domain name. [WIPO Overview 3.0](#), section 1.7. The Panel further finds that the addition of the letters "usa" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's NEUMANN trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8. See also *Williams-Sonoma, Inc. v. carousel Chavez*, WIPO Case No. [D2025-0319](#):

"Here, the disputed domain name is confusingly similar to the Complainant's POTTERY BARN mark. The Panel finds that the Respondent has incorporated the entirety of the Complainant's POTTERY BARN mark and merely added the geographic term 'usa.' The addition of 'usa' does not prevent a finding of confusing similarity."

The Panel finds the disputed domain name to be confusingly similar to the NEUMANN trademark in which the Complainant has rights. 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.

As noted above, the Respondent's website displays the Complainant's NEUMANN trademark in its header and purports to offer NEUMANN-branded products for sale at substantially discounted prices. There appears to be no relationship between the Parties. The Respondent is not acting as an authorized reseller of the Complainant's goods. There is no disclaimer on the Respondent's website clarifying the lack of affiliation between the Respondent's website and the Complainant. The Respondent has not come forward to assert that it is making any bona fide use of the disputed domain name. The Panel notes that the underlying registrant information appears to be false, listing a physical address that does not appear to exist.

In light of the above, the Panel accepts the Complainant's assertions that the Respondent's website seeks to impersonate the Complainant and appears to be offering either counterfeit goods or is aimed at misleading Internet users into purchasing goods from the Respondent's website that the Respondent has no means or intention of providing. Prior UDRP panels have held that the use of a domain name for illegitimate or illegal activity, such as the sale of counterfeit goods, impersonation/passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. See also *Canna River LLC v. Ojong Beyang*, WIPO Case No. [D2025-2814](#):

"The Disputed Domain Name resolved to a website displaying prominently the Complainant's CANNA RIVER Mark and selling unauthorized hemp- and CBD-based products bearing the CANNA RIVER Mark without disclosing its lack of relationship with the Complainant, and thus, the Respondent does not have rights or legitimate interests in the Disputed Domain Name. When Internet users arrive at the Respondent's website, they will find a site on which the Respondent attempts to pass off as the Complainant, purportedly offering counterfeit products to customers, which products compete with those offered by the Complainant on its official website. The Panel thus determines that the Respondent is not making a bona fide offering of goods nor a legitimate noncommercial or fair use of the Disputed Domain Name but rather is using the Disputed Domain Name for commercial gain with the intent to mislead the Complainant's customers into believing that they had arrived at the Complainant's website."

Even if the goods offered for sale on the Respondent's website were treated as genuine (which the Panel does not accept is the case), the Respondent's use of the disputed domain name would not be considered bona fide in the absence of a disclaimer clarifying the Respondent's lack of affiliation with the Complainant. See [WIPO Overview 3.0](#), section 2.8. See also *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#).

The Panel further finds that the nature of the disputed domain name itself, comprising the Complainant's trademark together with the geographical term "usa" under the gTLD ".shop" is such that the disputed domain name carries a risk of implied affiliation with the Complainant and therefore does not support a claim of fair use of the disputed domain name. [WIPO Overview 3.0](#), section 2.5.1.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

It is clear from the nature of the Respondent's website, as described above, that the Respondent was aware of the Complainant and its rights in the NEUMANN trademark when registering the disputed domain name. The Panel finds that the Respondent, having no affiliation with the Complainant and no authorization to make use of the Complainant's trademark, registered the disputed domain name carrying a risk of implied affiliation with the Complainant, with a view to engaging in activity aimed at misleading Internet users as to the source of the disputed domain name and the Respondent's website, in bad faith. The Panel finds that the provision of false underlying registrant details further supports a finding of bad faith. [WIPO Overview 3.0](#), section 3.6.

As noted above, the Respondent appears to be using the disputed domain name to impersonate the Complainant or to hold itself out as an official retailer of the Complainant's products in the United States. Noting that the goods offered for sale on the Respondent's website are offered at substantially discounted prices, the Panel infers that the goods are likely to be counterfeited or the Respondent is attempting to mislead Internet users into making purchases for goods that the Respondent has no intention of delivering. Prior UDRP panels have consistently held that the use of a domain name for illegitimate or illegal activity, such as the sale of counterfeit goods, impersonation/passing off, or other types of fraud, 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 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 <neumannusa.shop> be transferred to the Complainant.

/David Taylor/

David Taylor

Sole Panelist

Date: October 31, 2025