

ADMINISTRATIVE PANEL DECISION

Sennheiser electronic GmbH & Co. KG v. John Deecon, TrafficDomains Inc.
Case No. D2025-3676

1. The Parties

The Complainant is Sennheiser electronic GmbH & Co. KG, Germany, represented by Bettinger Scheffelt Partnerschaft mbB, Germany.

The Respondent is John Deecon, TrafficDomains Inc., Malaysia.

2. The Domain Names and Registrar

The disputed domain names <senhheiser.icu> and <senhheiser.shop> (the “Disputed Domain Names”) are registered with Web Commerce Communications Limited dba WebNic.cc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 10, 2025. On September 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Names. On September 12, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on September 13, 2025, providing the registrant’s additional contact information disclosed by the Registrar.

The Center verified that the 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 13, 2025.

The Center appointed Mariia Koval as the sole panelist in this matter on October 15, 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, founded in 1945, is a German audio equipment manufacturer, specializing in equipment for the professional audio markets, including microphones, headphones, and loudspeakers. For the last 80 years the Complainant expanded to an international company with more than 2,800 employees and three different manufacturing plants, one each in Germany, Ireland, and the United States of America, as well as sales subsidiaries and research laboratories worldwide. Today, the Complainant is a well-established independent family business that continuously sets trends in the audio industry.

The Complainant is the owner of numerous SENNHEISER trademark registrations (the “SENNHEISER Trademark”) in different jurisdictions, among which are:

- International Trademark Registration No. 590780, registered on August 10, 1992, in respect of goods in class 9;
- International Trademark Registration No. 670839, registered on March 6, 1997, in respect of goods in class 9; and
- European Union Trade Mark No. 000370122, registered on August 27, 1999, in respect of goods in classes 9, 10 and 16.

The Complainant operates, among others, the domain names <sennheiser.com>, <sennheiser.net>, <sennheisershop.com>, <sennheiser.store>, <sennheisershop.com>, and <sennheiser.online>, reflecting its SENNHEISER Trademark for promoting its products and services. The Complainant has also made substantial investments to develop a strong presence online by being active on various social media platforms, including Facebook, Instagram, X, YouTube, and LinkedIn.

The registration date of the Disputed Domain Name <senhheiser.icu> is July 14, 2025, and of the Disputed Domain Name <senhheiser.shop> July 11, 2025. As at the dates of filing of the Complaint and this Decision, the Disputed Domain Names resolve to inactive websites.

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 Names.

Notably, the Complainant contends that the Disputed Domain Names are confusingly similar to the Complainant's SENNHEISER Trademark since the Disputed Domain Names reproduce the Complainant's SENNHEISER Trademark in its entirety with omission of the second letter “n” and addition of an additional letter “h” (“senhheiser”), what constitutes typosquatting and do not prevent a finding of confusing similarity between the Complainant's SENNHEISER Trademark and the Disputed Domain Names.

The Complainant further claims that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Names in view of the following:

- the Complainant has not licensed, permitted, or otherwise authorized the Respondent to use the SENNHEISER Trademark in any manner, including as part of the Disputed Domain Names;
- the Respondent is not commonly known by the Disputed Domain Names;
- the Disputed Domain Names are not being actively used that does not constitute a bona fide offering of goods or services.

The Complainant further contends that the Respondent registered and is using the Disputed Domain Names in bad faith based on the following. The Complainant's SENNHEISER Trademark is highly distinctive and enjoys a reputation. The Disputed Domain Names consist of a deliberate misspelling of a well-known SENNHEISER Trademark: it is therefore evident that the Respondent was aware of the Complainant and targeted the Complainant's SENNHEISER Trademark when registering the Disputed Domain Names.

It is clear that that the Respondent's control over the Disputed Domain Names remains an implied ongoing threat to the Complainant regardless of whether the Disputed Domain Names are being actively used or not.

B. Respondent

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

6. Discussion and Findings

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

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which 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 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 Disputed Domain Names completely reproduce the Complainant's SENNHEISER Trademark with omission of the second letter "n" and addition of the letter "h" and the generic Top-Level Domains ("gTLDs") ".icu" and "shop". The Disputed Domain Names appear to be typical examples of typosquatting, i.e., misspellings of the Complainant's SENNHEISER Trademark. According to the [WIPO Overview 3.0](#), section 1.9, a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. The Panel finds that omission of the letter "n" and addition of the letter "h" to the Disputed Domain Names in this case does not prevent the Disputed Domain Names from being confusingly similar to the Complainant's SENNHEISER Trademark.

Also, in accordance with [WIPO Overview 3.0](#), section 1.11.1, the applicable gTLD in a domain name (such as, ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Accordingly, the Panel finds that the Disputed Domain Names are confusingly similar to the Complainant's SENNHEISER Trademark pursuant to paragraph 4(a)(i) of the Policy.

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 Names. 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 Names such as those enumerated in the Policy or otherwise.

The Panel concludes that there is no relation, disclosed to the Panel or otherwise apparent from the record, between the Respondent and the Complainant. The Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant’s SENNHEISER Trademark. Moreover, there is no element from which the Panel could infer the Respondent’s right over the Disputed Domain Names under the Policy, or that the Respondent might be commonly known by the Disputed Domain Names.

Also, given the typosquatting nature of the Disputed Domain Names, the construction of the Disputed Domain Names is likely to mislead or cause confusion, which was likely the main intent of the Respondent when registering the Disputed Domain Names, which cannot amount to fair use nor confer rights or legitimate interests upon the Respondent.

The Panel is of opinion that there is no evidence that the Respondent is using the Disputed Domain Names to offer bona fide goods or services or making a legitimate noncommercial or fair use. On the contrary, as at the dates of filing of the Complaint and this Decision the Disputed Domain Names resolve to inactive websites.

Finally, the Respondent did not respond to the Complainant’s contentions and did not participate in this proceeding, respectively, the Respondent did not present any evidence for supporting any rights or legitimate interests in the Disputed Domain Names.

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.

In the present case, the Panel notes that the Respondent registered and is using the Disputed Domain Names in bad faith in view of the following. The Complainant obtained the registration of the SENNHEISER Trademark at least 30 years earlier than the Respondent registered the Disputed Domain Names in 2025. Taking into account all circumstances of this case, the Panel finds that the Respondent was very well aware of the Complainant’s business and its well-known SENNHEISER Trademark when registering the confusingly similar Disputed Domain Names. The Panel considers it is bad faith that the Respondent deliberately chose the Disputed Domain Names to create a likelihood of confusion with the Complainant’s SENNHEISER Trademark, so as to create a false association or affiliation with the Complainant.

Moreover, while the Disputed Domain Names resolve to inactive websites, it has been established that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Given the Complainant's well-reported involvement and reputation in the audio equipment industry, and the composition of the Disputed Domain Names, such passive holding does not prevent a finding of bad faith.

The Panel is of the opinion that it is clear that the Respondent, having registered the Disputed Domain Names which are confusingly similar to the Complainant's well-known SENNHEISER Trademark, intended to disrupt the Complainant's business or otherwise confuse or take advantage of Internet users seeking or expecting the Complainant's website. In view of the absence of any evidence to the contrary and the fact that the Respondent did not file any response to claim otherwise, the Panel concludes that the Respondent has registered and is using the Disputed Domain Names in bad faith.

Therefore, 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 Names <senhheiser.icu> and <senhheiser.shop> be transferred to the Complainant.

/Mariia Koval/

Mariia Koval

Sole Panelist

Date: October 29, 2025