

## **ADMINISTRATIVE PANEL DECISION**

Phoenix Contact GmbH & Co. KG v. Nazmul Hussain  
Case No. D2025-4155

### **1. The Parties**

The Complainant is Phoenix Contact GmbH & Co. KG, Germany, represented by Taylor Wessing, Germany.

The Respondent is Nazmul Hussain, Bangladesh.

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

The disputed domain name <phoenixcontact.top> (the “Disputed Domain Name”) is registered with NameSilo, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 10, 2025. On October 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On October 10, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 13, 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 amendment to the Complaint on October 13, 2025.

The Center verified that the Complaint together with the amendment to 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 October 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 4, 2025.

The Center appointed Rosita Li as the sole panelist in this matter on November 7, 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 one of the world's leaders of components, systems and solutions in electrical engineering, electronics and automation. Founded in 1923, the Complainant is headquartered in Blomberg, Germany, with products and services available in more than 100 countries through a broad network of subsidiaries and distribution partners. With a total annual sales of EUR 3 billion in 2024, the Complainant is one of the market leaders in electrical engineering. The Complainant promotes its business at the website "www.phoenixcontact.com".

The Complainant is the owner of trademark registrations for PHOENIX CONTACT throughout the world, including but not limited to the following:

- 1) International Registration No. 1125907 for PHOENIX CONTACT, registered on October 28, 2011, designating, among others, the European Union, the United States of America ("United States"), China, the United Kingdom, Australia, Singapore, Switzerland, the Republic of Korea, Japan, and Viet Nam;
- 2) United States Registration No. 79116633 for PHOENIX CONTACT, registered on July 23, 2013;
- 3) United States Registration No. 79139443 for PHOENIX CONTACT, registered on December 23, 2014;
- 4) Canada Registration No. 1550203 for PHOENIX CONTACT, registered on April 14, 2016; and
- 5) Hong Kong, China Registration No. 303736585 for PHOENIX CONTACT, registered on April 8, 2016.

(Collectively, the "PHOENIX CONTACT Trademarks").

The Complainant submits that the PHOENIX CONTACT Trademarks enjoy a high degree of market recognition worldwide, having been put to substantial use since 1982 in Germany and worldwide in connection with its variety of electronical and electrical goods and services.

The Disputed Domain Name was registered by the Respondent on October 3, 2025.

As of the date of the Complaint, the Disputed Domain Name is no longer active following a takedown request submitted by the Complainant to the hosting provider. However, the Disputed Domain Name previously resolved to a web page displaying the Complainant's PHOENIX CONTACT Trademarks and logo and requiring a mobile number and password to log in.

#### **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. A summary of the Complainant's submissions is as follows:

- (i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The Complainant contends that:

- The Complainant's PHOENIX CONTACT Trademarks are protected worldwide, with nearly 600 trademark registrations owned by the Complainant covering a variety of electronic and electrical goods and services, including goods and services in the fields of industrial automation;
- The Respondent registered the Disputed Domain Name to mislead Internet users. The company logo of the Complainant is displayed prominently in the top line of the website, and the structure of the website operated under the Disputed Domain Name gives the impression that it is the homepage of the Complainant's;
- By pretending it is the original Phoenix Contact domain name, Internet users are illegally targeted for their login data. The login data of Internet users is used for dishonest purposes by the Respondent;
- The Disputed Domain Name was registered without the consent and knowledge of the Complainant. The distinctive element of the Disputed Domain Name "phoenixcontact.top" is nearly identical to the Complainant's PHOENIX CONTACT Trademarks and the Complainant's domain <phoenixcontact.com>;
- The Disputed Domain Name is a typo domain in which only the single letter "i" is missing, which is only visually detectable upon very close inspection. The element ".top" creates the impression that it is an additional homepage of the Complainant; and
- The likelihood of confusion is obvious, as the Disputed Domain Name is nearly identical to the distinctive and dominant element of the Complainant's PHOENIX CONTACT Trademarks.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name. The Complainant contends that:

- The high degree of market recognition of the PHOENIX CONTACT Trademarks suggests that the registration of the Disputed Domain Name by the Respondent was not a coincidence but was filed in awareness of the PHOENIX CONTACT Trademarks;
- The Respondent is not authorised to use the Disputed Domain Name comprising the distinctive element "Phoenix Contact" and the Complainant's PHOENIX CONTACT Trademarks;
- The Respondent's use of the Disputed Domain Name for illegal activities, such as phishing, impersonation/passing off or other types of fraud, does not confer rights or legitimate interests to the Respondent. In particular, the Respondent pretended that it was an original Phoenix Contact to obtain login data of Phoenix Contact customers; and
- The registration and use of the Disputed Domain Name infringe the Complainant's trademark rights, and the registration and use of the sign "Phoenix Contact" is sufficient to constitute an infringement of a famous trademark.

(iii) The Disputed Domain Name was registered and is being used in bad faith. The Complainant contends that:

- The fact that the Respondent registered the Disputed Domain Name that is nearly identical to the Complainant's PHOENIX CONTACT Trademarks shows that the Respondent acted in bad faith;
- The Disputed Domain Name was registered with the intent of misleading Internet users as to the commercial origin of the website;
- The PHOENIX CONTACT Trademarks are used in a conspicuous presentation without indicating that they are owned by the Complainant on the website resolved to the Disputed Domain Name;
- The use of the Disputed Domain Name raises the impression that the Respondent is operating an authorised website with the Complainant's consent, diverting Internet users to the Disputed Domain Name;
- As the Respondent is not authorised to use the PHOENIX CONTACT Trademarks, the Respondent is taking unfair advantage of the reputation and repute of the Complainant's PHOENIX CONTACT Trademarks to further the Respondent's own purposes, and is deliberately misleading consumers by intentionally creating the impression that the website is one of the Complainant's; and
- Customers of Phoenix Contact are requested, in a targeted and illegal manner, to enter their login data for the Respondent's dishonest purposes.

## **B. Respondent**

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

## 6. Discussion and Findings

Paragraph 4(a) of the Policy provides that a complainant must satisfy each of the following three elements in order to obtain relief:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been 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.

Based on the available materials, 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 that the PHOENIX CONTACT Trademarks are recognisable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the PHOENIX CONTACT Trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The omission of the letter "i" in the Disputed Domain Name does not prevent a finding that the Disputed Domain Name is confusingly similar to the Complainant's PHOENIX CONTACT Trademarks, as the Disputed Domain Name contains sufficiently recognisable aspects of the PHOENIX CONTACT Trademarks. [WIPO Overview 3.0](#), section 1.9.

The generic Top-Level Domain ".top" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.

Based on the available materials, 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 recognised 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 record, the landing page of the Disputed Domain Name displayed the Complainant's PHOENIX CONTACT Trademark and logo. Further, the Disputed Domain Name is confusingly similar to the Complainant's PHOENIX CONTACT Trademarks, and the omission of the letter "i" does not help eliminate the likelihood of confusion.

By reproducing the Complainant's PHOENIX CONTACT Trademark and logo on the website at the Disputed Domain Name for a login page, the Respondent has falsely associated itself with the Complainant and has attempted to impersonate the Complainant, which would mislead Internet users into believing that the Disputed Domain Name resolved to the Complainant's login page. Therefore, the use of the Disputed Domain Name is intended to deceive the Complainant's customers by soliciting login details, raising concerns about the illegitimate and/or illegal use of the login credentials. Panels have held that the use of a domain name for illegal activity, here claimed impersonation, and illegally obtaining the login data of the Complainant's customers for possible fraudulent activities, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Given the above, the Panel finds it apparent that the Respondent had the intention to divert users seeking to find the Complainant or access legitimate Phoenix Contact services. It is clear that the use of the Disputed Domain Name, which incorporates the Complainant's PHOENIX CONTACT Trademarks, is an attempt by the Respondent to capitalise on the goodwill and reputation of the PHOENIX CONTACT Trademarks, which the Panel considers not to be for a legitimate noncommercial or fair use of the Disputed Domain Name.

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's registration of the Disputed Domain Name incorporates the Complainant's PHOENIX CONTACT Trademark in its entirety, save for the omission of the letter "i". The Panel also notes that the time of registration of the Disputed Domain Name on October 3, 2025, is well after the registration of the Complainant's PHOENIX CONTACT Trademarks. The Complainant has provided supporting documents to show that the PHOENIX CONTACT Trademarks are well known and reputable, with substantial use by the Complainant in the area of electrical engineering, electronics and automation since 1982. The Panel accepts that the Complainant has been continuously using its PHOENIX CONTACT Trademarks and finds that it would not be plausible for the Respondent to claim that it was unaware of the Complainant and the PHOENIX CONTACT Trademarks. The Panel is prepared to find that the Respondent knew or should have known that the registration of the Disputed Domain Name would be confusingly similar to the Complainant's PHOENIX CONTACT Trademarks. [WIPO Overview 3.0](#), section 3.2.2. Accordingly, the Panel finds that the Respondent's registration of the Disputed Domain Name, which is confusingly similar to the PHOENIX CONTACT Trademarks, is a clear indication of bad faith.

In accordance with paragraph 4(b)(iv) of the Policy, if by using the Disputed Domain Name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant's mark as to source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location, such conduct is an indicator of bad faith on the part of the Respondent. As elaborated in the previous section 6.B, and in the paragraph above, the Respondent has used the Disputed Domain Name to attract Internet users through confusion with the PHOENIX CONTACT Trademarks and operated a website that replicated the Complainant's PHOENIX CONTACT Trademarks and logo and solicited the Complainant's customer login credentials for possible fraudulent activities and commercial gain. Further, the Respondent has impersonated the Complainant by using the Complainant's PHOENIX CONTACT Trademarks and logo to falsely associate the website at the Disputed Domain Name

with the Complainant. In view of this, the Panel is of the view that the Respondent has registered and used the Disputed Domain Name in bad faith.

Based on the available materials, 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 <phoenixcontact.top> be transferred to the Complainant.

*/Rosita Li/*

**Rosita Li**

Sole Panelist

Date: November 21, 2025