

## ADMINISTRATIVE PANEL DECISION

Schaeffler Technologies AG & Co. KG v. Clark Richard, Badman enterprise  
Case No. D2025-4194

### 1. The Parties

The Complainant is Schaeffler Technologies AG & Co. KG, Germany, represented by Bettinger Scheffelt Partnerschaft mbB, Germany.

The Respondent is Clark Richard, Badman enterprise, United States of America.

### 2. The Domain Name and Registrar

The disputed domain name <schaeffler.com> is registered with NameCheap, Inc. (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 13, 2025. On October 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 15, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 17, 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 October 17, 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 the Respondent of the Complaint, and the proceedings commenced on October 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 11, 2025.

The Center appointed William A. Van Caenegem as the sole panelist in this matter on November 14, 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 also known as Schaeffler Group (Schaeffler-Gruppe in German) and is a listed German family-owned supplier to the automotive and mechanical engineering industries. It is based in Herzogenaurach in Germany, and its history starts in 1949. The Schaeffler Group employs over 80,000 people at 180 locations worldwide, of which around 30,000 are in Germany. The turnover amounted to over EUR 15 billion in 2022.

The Complainant is the owner of numerous trademark registrations, for the word SCHAEFFLER, including International trademark with registration No. 917515, Schaeffler (word mark), registered on March 20, 2006, for goods in classes 7, 8, 9, 11, and 12, designating more than 50 jurisdictions including the United States of America; and European Union Trademark registration No. 004914107 Schaeffler (word mark), registered on January 15, 2008, for goods in classes 7, 9, 11, and 12.

The disputed domain name was registered on October 6, 2025, and resolves to the Registrar's parking page.

The Complainant's website at the domain name <schaeffler.com> contains information about its history and the Complainant also owns the generic Top-Level-Domain ("gTLD") ".schaeffler" and the domain name <schaefflergroup.com>, as well as numerous Second-Level domain names consisting of or including its SCHAEFFLER trade mark. The Complainant also has an active presence on social media.

#### **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.

Notably, the Complainant contends that it has established the necessary trademark rights through its above referenced trademark registrations. The Complainant adds that the presence of its SCHAEFFLER trademark in the disputed domain name is sufficient to establish confusing similarity between the disputed domain name and the Complainant's trademark, referencing WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 1.7. The Complainant adds that despite the addition of an "f", its registered trademark remains readily recognizable within the disputed domain name and says that a typical case of typosquatting, as this is, does not prevent a finding of confusing similarity. Consumers are likely to regard this as a spelling error, the Complainant adds.

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not a licensee or an affiliate and has no authorization to use the SCHAEFFLER trademark in any form, the Complainant says. There is no evidence of the Respondent having made any substantive use of the disputed domain name. The Complainant adds that since the Mail eXchange ("MX") records attached to the disputed domain name have been activated by a different Internet Service Provider, and given the inherent nature of the disputed domain name, there is a high risk that it will be used for phishing activities. The Complainant adds that there is no evidence that the Respondent is commonly known by the domain name or trademark, and that there is no evidence of the Respondent having acquired or applied for any trademark registrations for "Schaeffler" or any variation thereof. The Complainant concludes that it has established a *prima facie* case that the Respondent has no rights or legitimate interests in the disputed domain name.

The Complainant asserts that the SCHAEFFLER trademark has a long-established worldwide reputation that predates the date of registration of the disputed domain name by many years. It says that all the leading search results obtained by typing “schaeffler” into the Google search engine available at “www.google.com” refer to the Complainant. The Complainant adds that this matter concerns a typical case of typosquatting which is regarded as an instance of opportunistic bad faith. The composition of the disputed domain name constitutes targeting and prevents any finding other than bad faith, the Respondent clearly being aware of the Complainant’s rights in the SCHAEFFLER trademark at the time of registration of the disputed domain name, the Complainant maintains.

The Complainant notes that passive use does not foreclose a finding of bad faith. The circumstances of the present case are sufficiently similar to those present in *Telstra Corporation Limited. v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#) (“Telstra”) to establish bad faith passive holding of the disputed domain name. More specifically, the Complainant says, in this case (i) a highly distinctive mark, (ii) a typographical variant domain with no legitimate explanation, (iii) absence of any bona fide use, and (iv) the default parking configuration together support a finding of bad faith use through passive holding. Additionally, the Complainant points out, the disputed domain name is set up with MX configuration which enables phishing. Even in the absence of any emails having been sent, the Complainant points out that the technical setup itself shows preparedness to exploit confusion for commercial gain, squarely aligning with the Policy, paragraph 4(b)(iv).

## **B. Respondent**

The Respondent did not reply to the Complainant’s 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 Complainant’s trademark and the disputed domain name. [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 Panel finds the mark is recognizable 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. The slight alteration by the addition of an “f” is almost unnoticeable and does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.9.

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 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.

In addition, the Panel notes the disputed domain name is enabled with MX configuration which shows that the disputed domain name may potentially be used for phishing.

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 the disputed domain name, which is almost identical to the long established and widely recognized SCHAEFFLER registered trademark, without any authorization or license to do so from the Complainant. The inclusion of a minor misspelling of the Complainant's trademark indicates that the disputed domain name was deliberately chosen in this form because the Respondent was aware that SCHAEFFLER is the Complainant's trademark, in which it has trademark rights in many jurisdictions including the United States of America where the Respondent is located.

In the absence of any response from the Respondent, it is apparent from the composition of the disputed domain name that no good faith use was intended by the Respondent. Further, it is difficult to imagine any use that could be put by the Respondent other than in bad faith also considering the configuration of MX records. It is likely that the Respondent has intentionally registered the disputed domain name, which is subtly different from the Complainant's distinctive SCHAEFFLER trademark and domain name [<schaeffler.com>](http://<schaeffler.com>), by the addition of an "f", with the purpose of sending deceptive emails for the sake of generating ill-gotten gain from unsuspecting Internet users. The fact that the disputed domain name does not resolve to an active website with substantive content is of course no obstacle to a finding of bad faith, as has been accepted since the Telstra decision, based on the overall circumstances of the case.

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 [<schaeffler.com>](http://<schaeffler.com>) be transferred to the Complainant.

*/William A. Van Caenegem/*

**William A. Van Caenegem**

Sole Panelist

Date: November 28, 2025