

ADMINISTRATIVE PANEL DECISION

Schaeffler Technologies AG & Co. KG v. Richard migoas, groupe-schaeffler
Case No. D2025-4215

1. The Parties

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

The Respondent is Richard migoas, groupe-schaeffler, United States of America.

2. The Domain Name and Registrar

The disputed domain name <groupe-schaeffler.com> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 14, 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 14, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 16, 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 16, 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 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 13, 2025.

The Center appointed William A. Van Caenegem as the sole panelist in this matter on November 17, 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. Its 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 number 917515, SCHAEFFLER (wordmark), 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 (wordmark), registered on January 15, 2008, for goods in classes 7, 9, 11, and 12.

The disputed domain name was registered on August 18, 2025, and does not resolve to an active website. However, it has Mail Exchange (“MX”) records activated.

The Complainant’s website at the domain name <schaeffler.com> contains information about its history and the Complainant also owns the Top-Level-Domain “.schaeffler” and the domain name <schaefflergroup.com>, as well as numerous Second-Level domain names consisting of or including its SCHAEFFLER trademark. 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.

The Complainant points out that it owns numerous trademark registrations for the mark SCHAEFFLER in jurisdictions throughout the world, examples of which are provided above, and has therefore established trademark rights in SCHAEFFLER for the purposes of paragraph 4(a)(i) of the Policy.

The Complainant further contends 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, referring to WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 1.7. Accordingly, the Complainant says, the disputed domain name <gruppe-schaeffler.com> is confusingly similar to the SCHAEFFLER trademark. The mere addition of the German term “gruppe” (group in English), separated by a hyphen, does not prevent a finding of confusing similarity, as such terms are routinely disregarded where the mark itself is preserved, the Complainant adds. The additional term “gruppe”, which is a corporate form, does not dispel confusing similarity.

The Respondent is not a licensee of the Complainant and not affiliated with the Complainant in any way. The Complainant has not granted any authorization for the Respondent to make use of its SCHAEFFLER trademark, in a domain name or otherwise. The disputed domain name currently does not resolve to an active website, and the Complainant points out that there is also no evidence of the Respondent having made any other substantive use of the disputed domain name in the past. Since the MX records for the disputed domain name have been activated, there is also an increased risk of phishing, the Complainant

says. Further, the Complainant points out that there is no evidence to suggest that the Respondent is commonly known by the disputed domain name, as contemplated by paragraph 4(c)(ii) of the Policy, and the Respondent registered the disputed domain name using a proxy service and without contact information on the Respondent's website. The identity of the underlying registrant is unknown, but the Complainant adds that to the best of its knowledge, there is no evidence of the Respondent having acquired or applied for any trademark registrations for "schaeffler" or any variation thereof.

In relation to bad faith registration, the Complainant points out that all the leading search results obtained by typing "schaeffler" into the Google search engine refer to the Complainant. The disputed domain name also contains the Complainant's trademark in its entirety together with the descriptive term "gruppe" which refers to the Complainant's well-known company Schaeffler Group, the Complainant points out, and it is therefore evident that the Respondent was aware of the Complainant and targeted the Complainant's registered trademark when registering the disputed domain name.

In terms of bad faith use, the Complainant asserts that passive holding can qualify as such. Given the fact that, according to the Complainant, its SCHAEFFLER trademark is highly distinctive and widely known; the Respondent failed to respond or provide any evidence of good faith use, actual or intended; the Respondent concealed its identity; and the implausibility of any good faith use to which the domain name may be put, it is clear that bad faith use is established (pointing to *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#), and [WIPO Overview 3.0](#), section 3.3).

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.

Although the addition of other terms here, "gruppe" (group in English) may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8. The registered trademark of the Complainant is recognizable within the disputed domain name.

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.

The Respondent has not in any way made a case in relation to any rights or legitimate interests. The disputed domain name does not resolve to any online activity that may otherwise give rise to such rights or legitimate interests. The Panel infers, on the balance of probabilities, that by registering the disputed domain name the Respondent has intended to take unfair advantage of the likelihood of confusion with the Complainant's mark.

Additionally, there is the risk here, that the configuration of MX records has put the Respondent in the position of being able to engage in illegitimate phishing activity, something that clearly is not compatible with establishing rights or legitimate interests.

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.

The disputed domain name contains the long-established, distinctive and widely known registered trademark SCHAEFFLER of the Complainant, a multinational industrial concern. A simple online search immediately reveals the existence and trademark rights of the Complainant. The composition of the disputed domain name containing the term "gruppe" (or "group" in English), indicates that the Respondent at the time of registration likely knew that it had to do with the mark of a large industrial concern.

The Panel further notes that the Respondent has not provided any evidence of good faith use of the disputed domain name, nor of intended use. There is no indication that the Respondent is commonly known by the disputed domain name. The configuration of MX records raises a suspicion that the registration of the disputed domain name was undertaken by the Respondent with a view to engage in a phishing scheme. As is well known, in circumstances such as the present, the fact that the disputed domain name does not resolve to an active website is no bar to a Panel for finding bad faith.

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 <gruppe-schaeffler.com> be transferred to the Complainant.

/William A. Van Caenegem/

William A. Van Caenegem

Sole Panelist

Date: December 1, 2025.