

ADMINISTRATIVE PANEL DECISION

BSH Hausgeräte GmbH v. Brent Blair, Encompass Supply
Chain Solutions, Inc.
Case No. D2025-4396

1. The Parties

The Complainant is BSH Hausgeräte GmbH, Germany, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Brent Blair, Encompass Supply Chain Solutions, Inc., United States of America (“United States”), represented by Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., United States.

2. The Domain Name and Registrar

The disputed domain name <boschparts.com> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 24, 2025. On October 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 28, 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 (Data Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 31, 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 November 3, 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 November 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 1, 2025. The Respondent did not submit any response by the due date. Accordingly, the Center notified the Respondent’s default on December 4, 2025.

The Center appointed Adam Taylor as the sole panelist in this matter on December 9, 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.

On December 17, 2025, the Respondent filed a late Response.

The Complainant filed a supplemental filing on December 24, 2025.

The Panel issued Procedural Order No. 1 ("PO1") on January 7, 2026, inviting the parties to comment on an archive screenshot of the website at the disputed domain name. The Respondent and Complainant filed submissions in response on January 12 and 16, 2026, respectively.

4. Factual Background

The Complainant is part of the Bosch group of companies that has supplied home appliances under the mark BOSCH since the 1880s. The group incorporates other brands such as SIEMENS, GAGGENAU, and THERMADOR.

The Complainant is the licensee of a number of registered trade marks for BOSCH including German trade mark No. 45920, registered on October 8, 1900, in class 9.

The Complainant operates a website at "www.bosch.com".

The Respondent acquired/registered the disputed domain name on April 24, 2022.

As of May 13, 2023, the disputed domain name resolved to a website ("the 2023 Website") branded with the Complainant's "Bosch" logo. The site contained a prominent search box enabling users to "[s]earch by part, model" as well as a prominent heading "Find original Bosch appliance parts", plus the statement: "Look no further – Bosch Parts have you covered! Our team of experts have hand-selected the highest quality original parts and accessories...[y]our search is over with our industry-leading selection that not only covers everything from dishwashers to washers but even hard-to-find parts too."

The Respondent registered <boshparts.ca> on July 28, 2023, and <boschparts.ca> on August 2, 2023.

On August 10, 2023, the Respondent was appointed as an authorized distributor of the Complainant's products under a "2023 Parts Distributor Agreement" ("the Distribution Agreement") which included the following: "4.01 Authorization. Parts Distributor is not authorized or granted the right or license to use the name "BSH" or any other trademark, slogan, tag-line, service mark, logo, trade name or other identifying indicia of BSH ("Trademarks"), except that Parts Distributor may, with BSH's prior approval, use the Bosch®, Gaggenau, and Thermador names solely for the purpose of promoting the sale and distribution of the Parts pursuant to this Agreement at Parts Distributor's authorized location(s) set forth on Schedule B, attached hereto, and strictly in accordance with BSH's then-current trademark-usage guidelines, as provided and modified by BSH from time to time in its discretion...". Schedule B contained a list of the Respondent's locations at various cities in the United States.

As of March 26, 2024, the disputed domain name redirected to a website at "www.originalrepairparts.com" ("the 2024 Website"). This site was branded with a logo containing the text "encompass™ SIMPLY PARTS" followed by the strapline "An Authorized Bosch Parts Distributor". The 2024 Website site contained the same prominent search box as the 2023 Website, but the main heading had been changed to: "Encompass Is An Authorized Parts Distributor For Bosch Genuine Replacement Parts & Products." The introductory text had been replaced with the following: "Look no further – Originalrepairparts.com and Encompass have you covered! Our team of experts have hand-selected the highest quality original Bosch Parts and Accessories. Your search is over with our industry leading selection of Genuine Bosch Replacement Parts for Home

Appliances, Accessories, and Power Tools..." Logos for "Bosch", "Thermador" and "Gaggenau" appeared below this statement.

As of August 7, 2025, the disputed domain name did not resolve to a website.

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.

B. Respondent

For reasons discussed in section 6.1 below, the Panel has declined to admit the Respondent's late Response. However, the following is a summary of the Respondent's contentions in response to PO1:

- as of May 13, 2023, the Respondent was in active discussions with the Complainant about sales of genuine Bosch products and the Respondent was in fact selling genuine Bosch products via the disputed domain name with the Complainant's authorisation;
- accordingly, the 2023 Website illustrates the Respondent's use of the disputed domain name in connection with a bona fide offering of goods, indicating both legitimate interests and a lack of registration in bad faith;
- in connection with the above-mentioned discussions, which continued during the duration of the Distribution Agreement, which is still active, the Complainant asked the Respondent to make certain changes to the content of the disputed domain name, resulting in the disputed domain name being redirected to "www.originalrepairparts.com" for a period of time;
- moreover, the Complainant has known about the Respondent's registration, and use, of the disputed domain name for a number of years, and profited from it based on the Respondent's sale of genuine Bosch parts as an authorised distributor of the Complainant;
- other portions of the website, which do not appear to have been captured by web crawlers, made clear to consumers that the Respondent was the party operating the website, selling genuine Bosch parts; and
- it was necessary for the Respondent to use the Complainant's BOSCH trade mark to properly describe the nature of the goods being sold.

6. Discussion and Findings

6.1. Preliminary Issues: Late Response and Supplemental Filing

The Response, which was due on December 1, 2025, was in fact received by the Center on December 17, 2025, after the Panel was appointed. The explanation given was that the Respondent's counsel had received late notice of the Response deadline.

Paragraph 10(c) of the Rules requires the Panel to ensure that the administrative proceeding takes place with due expedition, adding that the Panel may extend a period of time fixed by the Rules "in exceptional cases".

Paragraph 10(d) of the Rules provides that the Panel shall consider the admissibility, relevance, materiality and weight of the evidence.

The Panel declines to admit the late Response. Not only was the delay a substantial one, but the Respondent has not put forward any exceptional circumstance justifying its late instruction of counsel.

In these circumstances, it is unnecessary for the Panel to consider the Complainant's supplemental filing commenting on the Response.

The Panel would add that, even if the Response had been allowed, it would not have affected the outcome of this case. As discussed below, this decision hinges on the content of the 2023 Website, which did not feature in the Complaint and upon which the Respondent has been given a separate opportunity to comment. The Panel has considered those submissions, which are summarised in section 5B above, and the Panel addresses them below.

6.2. Substantive Issues

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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced 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.

Although the addition of other terms (here, "parts") 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 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.

Panels tend to assess respondent rights or legitimate interests in the present, i.e., with a view to the circumstances prevailing at the time of the filing of the complaint. [WIPO Overview 3.0](#), section 2.11.

As to paragraph 4(c)(i) of the Policy, the Panel understands that the disputed domain name was not being used for an active website at the date of filing of the Complaint and, accordingly, there was no bona fide offering of goods or services at that time. The Panel will consider the Respondent's previous use of the disputed domain name, and its role as a distributor of the Complainant's products, under the third element

below.

There is no evidence that paragraphs 4(c)(ii) or (iii) of the Policy are relevant in the circumstances of this case.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

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 Panel notes, first, that the Complaint is based on the redirection of the disputed domain name to the “encompass”-branded 2024 Website, which post-dated the Distribution Agreement of August 10, 2023, whereby the Respondent was appointed as an authorised distributor of parts for the Complainant’s products.

The Panel decided to undertake limited factual research, namely consulting the Internet Archive, in accordance with the general powers set out in paragraphs 10 and 12 of the Rules, [WIPO Overview 3.0](#), section 4.8. The Panel discovered the earlier 2023 Website, which predated the Distribution Agreement and which was materially different from the 2024 Website in that it was branded with the Complainant’s name and logo and purported to be operated simply by “Bosch Parts”.

The Panel issued PO1, inviting both Parties to comment on a screenshot of the 2023 Website.

In response, the Respondent claimed that, as of May 13, 2023, the date of the screenshot, it had been “in active discussions” with the Complainant about sales of genuine Bosch products and that the Respondent was using the disputed domain name to sell such products “with the Complainant’s authorisation”. The Respondent provided no dates, details or copies of any of the alleged communications with the Complainant and so it is not clear from the Respondent’s somewhat vague submission exactly what the Complainant is supposed to have authorised, or when.

However, the Respondent did add that, in connection with the discussions, the Complainant had asked the Respondent to make “certain” changes to the 2023 Website that resulted in the disputed domain name being redirected to “www.originalrepairparts.com” for a period of time. Again, the Respondent has failed to produce the communications. The Respondent has also failed to identify the requested changes, but no doubt these related to the Respondent’s branding of the 2023 Website with the Complainant’s name and logo, given that the Complainant’s requests apparently resulted in redirection to a website with different branding.

Surprisingly, in its reply to the Respondent’s submission, the Complainant did not take the opportunity to provide the communications relating to the 2023 Website, or even mention them. Instead, the Complainant confined itself to general assertions that the Respondent had never been authorised to use a domain name that utilized the Complainant’s registered trade mark and that the Respondent’s misuse of the Complainant’s logo and copyright imagery infringed the Complainant’s intellectual property rights.

Still, the fact remains that, not only has the Respondent failed to establish that it has secured any relevant authorisation from the Complainant in relation to the 2023 Website but, more likely than not, the Complainant had objected thereto.

Was the Respondent nonetheless justified in using the 2023 Website to resell the Complainant’s products? In assessing this issue, the Panel considers it helpful to take into account the approach taken by panels when considering whether resellers are making a bona fide offering of goods or services for the purposes of the second element.

The consensus view of UDRP panels is that to establish a bona fide offering of goods or services in such circumstances, a respondent must comply with certain conditions (the “Oki Data requirements”). Cases applying the Oki Data requirements usually involve a domain name comprising a trade mark plus a descriptive term, e.g., “parts” – as here. [WIPO Overview 3.0](#), section 2.8.

In the Panel’s view, the 2023 Website plainly failed to comply with the Oki Data requirement to accurately and prominently disclose the Respondent’s relationship with the trade mark holder.

Furthermore, there were no obvious factors clarifying the nature of the Respondent’s affiliation with the Complainant that might have sufficed even if one were to take the more “holistic” approach adopted by some panels. See, e.g., *KT & G Corporation, and Philip Morris Products S.A. v. Ieva Kalnina*, WIPO Case No. [D2024-0555](#). On the contrary, given that the site was branded with the Complainant’s name and logo and purported to be operated simply by “Bosch Parts”, it created the strong impression that it was an official website of the Complainant.

The Respondent claims that other parts of the website, which did not appear to have been captured by web crawlers, made clear to consumers that the Respondent was the operator of the website, selling genuine Bosch parts. However, even if so, and again the Respondent has provided no detail or supporting evidence, it seems highly unlikely that those other parts of the website would have displaced the powerful effect of the use of the Complainant’s branding on the home page as well as the prominent identification of the operator of the website simply as “Bosch Parts”.

The Respondent further asserts that it was necessary for the Respondent to use the Complainant’s BOSCH trade mark to properly describe the nature of the goods being sold. In the Panel’s view, the above-mentioned use of the Complainant’s branding went well beyond describing the nature of the products being sold on the website.

The Panel also considers that the Respondent has failed to comply with the Oki Data requirement not to “corner the market in domain names that reflect the trade mark” in that the Respondent also registered <boschparts.ca> and <boshparts.ca>, the latter a plain misspelling of the Complainant’s mark, which does not assist the Respondent’s claim of good faith.

For the above reasons, the Panel considers that by registering the disputed domain name, and using it for the 2023 Website, the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant’s trade mark for the purpose of selling parts for the Complainant’s products, in accordance with paragraph 4(b)(iv) of the Policy.

In these circumstances, it is unnecessary for the Panel to consider the subsequent Distribution Agreement or the 2024 Website.

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 <boschparts.com> be transferred to the Complainant.

/Adam Taylor/
Adam Taylor
Sole Panelist
Date: January 23, 2026