

ADMINISTRATIVE PANEL DECISION

Magna International Inc. v. Matthew Daly, PARAGON POWER, LLC
Case No. D2025-4983

1. The Parties

The Complainant is Magna International Inc., Canada, represented by Gowling WLG (Canada) LLP, Canada.

The Respondent is Matthew Daly, PARAGON POWER, LLC, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <eaglebendmfg.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 1, 2025. On December 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 2, 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 December 6, 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 December 10, 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 December 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 6, 2026.

The Center appointed Dr. Clive N.A. Trotman as the sole panelist in this matter on January 12, 2026. 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, incorporated under the laws of Ontario, Canada, supplies a wide variety of automotive parts and systems. The Complainant dates back to 1957 and employs some 166,000 employees worldwide. The corporate structure is that the Complainant, Magna International Inc., has an operating group known as Cosma International, which in turn operates a manufacturing facility known as "Eagle Bend Manufacturing" in Clinton, Tennessee, United States. The term "Complainant" will be used hereafter to refer to Magna, Cosma, or Eagle Bend Manufacturing according to context.

The Complainant owns a number of registered trademarks for MAGNA and COSMA of which the following are representative:

MAGNA, United States Patent and Trademark Office (USPTO), registered May 31, 1994, registration number 1837713, in classes 7, 9, 40, and 42;

COSMA, USPTO, registered March 30, 1999, registration number 2235838, in class 12.

The Complainant also uses the domain name <magna.com>.

The Complainant claims unregistered (common law) rights in the trademark EAGLE BEND MANUFACTURING. In support of its claim to unregistered rights in the trademark, the Complainant states that the trademark has been in use since 1987. The Eagle Bend Manufacturing entity currently employs over 950 people and supplies components to well-known vehicle marques such as BMW, Ford, General Motors, Honda, Mercedes Benz, Toyota and Volkswagen. Revenues in 2025 amounted to more than USD 100 million and have been proportionately high in at least the previous 10 years. Marketing expenditures in the years 2022-2025 have been between USD 30,000 and USD 150,000, at least.

In terms of promotion, the Complainant says the trademark EAGLE BEND MANUFACTURING has appeared on signage at the Complainant's factory for decades. The trademark has appeared on the company's employee business cards for decades and is featured on presentation decks and printed materials for customers.

The Complainant says that Eagle Bend Manufacturing is frequently discussed in mainstream news articles.

The Respondent has not provided any background information except for the contact details provided for the purpose of registration of the disputed domain name on October 21, 2025. The disputed domain name has previously resolved to a website (the "Respondent's website") made to appear as though it was the Complainant's website, including some authentic staff names, and through which visitors were invited to apply for employment positions purportedly with the Complainant but which did not in fact exist. The Respondent's website was marked EAGLE BEND MANUFACTURING and also displayed the Complainant's trademarks COSMA and MAGNA. The Respondent's website hosted a reply facility for correspondents to contact the Respondent while believing they were in contact with the Complainant. The Respondent then communicated with applicants by email or messaging, masquerading as the Complainant and its staff, seeking personal information.

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 rights in the unregistered trademark EAGLE BEND MANUFACTURING by virtue of usage including the length of time it has been in use, the revenue derived under the trademark, its promotion and advertising, and how well known it is.

The Complainant says the disputed domain name is identical or confusingly similar to the Complainant's trademark EAGLE BEND MANUFACTURING.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent's website has been used in attempts, some of which have been successful, to deceive people into believing they were applying for employment with the Complainant. People have been misled into divulging personal information to the Respondent and into making payments for purported expenses or equipment. The Respondent is not using the disputed domain name for a bona fide provision of goods or services, or for a fair or noncommercial purpose, and is not known by the disputed domain name or similar.

The Complainant further contends that the disputed domain name has been registered and is being used in bad faith.

The Complainant says the Respondent's activity in targeting prospective employees of the Complainant is fraudulent and is disruptive to the Complainant and its legitimate hiring program, falling within the provisions of paragraph 4(b)(iii) of the Policy.

The Complainant says the Respondent's activity also falls within the ambit of paragraph 4(b)(iv) of the Policy. The disputed domain name has been used with the intention to cause confusion with the Complainant's trademark. This has been done in order to attract Internet users by deception to the Respondent's website for the purpose of the Respondent's commercial gain. The use of a confusingly similar domain name for the purpose of phishing is in itself a ground for a finding of registration and use in bad faith.

The Complainant requests the transfer of the disputed domain name.

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Panel finds the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3. The Complainant has produced evidence including group financial reporting, aerial photographs showing the scale of its manufacturing facilities, photographs of large-scale external factory signage, promotional company profiles and business cards, and its

comprehensive hiring and employment policies. Evidence of the Complainant's fame and industry recognition appears in screen captures of press comment in "www.manufacturing-today", "www.knoxnews.com", "www.oakridgetoday.com" and several other sources. An article in "www.businessfacilities.com", apparently dated October 2, 2015, refers to Eagle Bend Manufacturing having been based in Clinton since 1987 and to major expansions in 2012 and 2015. A news item in "www.wbir.com" dated in 2015 also refers to a major expansion in that year.

The evidence produced, taken in the round, leaves the Panel in no doubt that for the purposes of the present proceeding the unregistered trademark EAGLE BEND MANUFACTURING taken as a whole is distinctive, the Complainant is identified with the trademark and has the requisite rights in that trademark under the Policy.

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 contraction of the word "manufacturing" to "mfg" is a standard business practice and does not prevent a finding of confusing similarity with the Complainant's trademark.

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.

Panels have held that the use of a domain name for illegitimate activity, (here, claimed phishing and impersonation) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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. Paragraphs 4(b)(iii) and 4(b)(iv) of the Policy provide for a finding of bad faith where:

"(iii) you [a respondent] have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location."

The Respondent's website, a screen capture of which running to some 7 pages has been produced in evidence, is a convincing document of the standard to be expected of a company having the scale of the Complainant. On the first page, the Respondent's website shows the Complainant's trademarks MAGNA, COSMA and EAGLE BEND MANUFACTURING. A box stating "A Cosma / Magna Facility" serves to confirm that the Respondent was aware of the Complainant's trademarks and of the inter-company relationship within the group. A page about the Complainant references the key dates of foundation in 1987 and the major expansion of 2015, demonstrating the Respondent's knowledge of the Complainant's long standing.

A later page lists certain key present or former managers in the company by their true names. There follows a page listing purported but non-existent "Current Openings" for employment, with headings about the work environment and benefits of working for the Complainant. Another page gives the correct physical details of the Complainant but an incorrect email address incorporating the disputed domain name, together with a contact form asking for the correspondent's name, email address, present company and telephone number.

People misled into sending applications for employment to the Respondent's website have been contacted and "interviewed" by the Respondent via email or messaging application. The Complainant has produced evidence of this in the form of email chains and photographs of messaging application chains that victims have disclosed to the Complainant after becoming suspicious. Applicants have been asked to pay money for computer equipment or to cover supposed upcoming expenses.

The Complainant has asked for a finding of bad faith under paragraphs 4(b)(iii) and/or 4(b)(iv) of the Policy.

Whilst the Respondent's activities have inevitably been disruptive to the Complainant's business operations generally and to its hiring program and reputation among applicants in particular, the Panel considers the Respondent's primary intention not to have been under paragraph 4(b)(iii) of the Policy but rather that there has been inevitable collateral damage to the Complainant from the Respondent's phishing intentions.

In terms of paragraph 4(b)(iv) of the Policy, on the evidence and on the balance of probabilities, the Panel finds that the disputed domain name has been used, has succeeded in attracting Internet users by confusion with the Complainant's trademark, and has been intended for the Respondent's commercial gain, constituting use in bad faith. The disputed domain name is found to have been registered for the purpose for which it has been used, constituting registration in bad faith.

Additionally, the use of the disputed domain name for phishing, i.e., the devious extraction of personal information or money from unsuspecting victims by intentional confusion, is widely recognised by panels as being sufficient in itself for a finding of registration and use in bad faith, and the Panel so finds. [WIPO Overview 3.0](#), section 3.4.

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 <eaglebendmfg.com> be transferred to the Complainant.

/Dr. Clive N.A. Trotman/

Dr. Clive N.A. Trotman

Sole Panelist

Date: January 21, 2026