

ADMINISTRATIVE PANEL DECISION

Schaeffler Technologies AG & Co. KG v. Manolo Jacobs, MAOEnterprise
Case No. D2025-5035

1. The Parties

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

The Respondent is Manolo Jacobs, MAOEnterprise, United States of America.

2. The Domain Name and Registrar

The disputed domain name <schaeffler-inc.com> (the “Disputed Domain Name”) is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 4, 2025. On December 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On December 5, 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 5, 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 11, 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 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 5, 2026.

The Center appointed Nicholas Weston as the sole panelist in this matter on January 9, 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 is an automotive and mechanical engineering business founded in Germany in 1946 that employs more than 80,000 people in 180 locations worldwide and turnover exceeding EUR 15 billion in 2022. The Complainant cites its registrations for the trademark SCHAEFFLER and variations of it in numerous jurisdictions, including, for example, International Registration number 917515 for the word SCHAEFFLER, registered on March 20, 2006, for goods in classes 7, 8, 9, 11, and 12; and European Union Trade Mark number 004914107 for the word SCHAEFFLER, registered on January 15, 2008 for goods in classes 7, 9, 11, and 12.

The Complainant owns the domain name <schaeffler.com>, which was registered on July 1, 1998 and hosts its main website.

The Disputed Domain Name was registered on November 19, 2025. Mail Exchange ("MX") records in connection to the Disputed Domain Name have been activated and the Disputed Domain Name has been used for a fraudulent email scheme.

5. Parties' Contentions

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 cites trademark registrations for the mark SCHAEFFLER, and variations of it, in numerous jurisdictions as *prima facie* evidence of ownership.

The Complainant submits that its rights in the mark SCHAEFFLER predate the Respondent's registration of the Disputed Domain Name and submits that the Disputed Domain Name is confusingly similar to its trademark, for the reason that the addition of the hyphen and the letters "inc" to the Disputed Domain Name "tends to reinforce the false impression that the Disputed Domain [N]ame is an official domain of the Complainant or of a company within the Schaeffler group."

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because "[t]he Complainant has not licensed, authorized, or otherwise permitted the Respondent to use its SCHAEFFLER trademark in a domain name or in any other manner...and there is no relationship between the parties that would give rise to any permission, express or implied, for the Respondent to register or use domain names incorporating the SCHAEFFLER mark" and contends that none of the circumstances set out in paragraph 4(c) of the Policy apply.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Name was, and currently is, in bad faith, contrary to the Policy and the Rules having regard to the prior use and submits that "used email addresses such as "[...]"@schaefflerinc.com" to pose as Schaeffler AG and to send forged documentation, including a fabricated "Schaeffler AG Credit Profile" and a falsified purchase order bearing a forged signature of the Complainant's board member", and advances the argument that "the use of a domain name to impersonate a complainant in email and to send fake orders, invoices or other fraudulent correspondence constitutes clear evidence of registration and use in bad faith".

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant has the burden of proving the following:

- (i) that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- (iii) that 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. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds 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 Complainant has produced sufficient evidence to demonstrate that it has registered trademark rights in the mark SCHAEFFLER in numerous jurisdictions.

Turning to whether the Disputed Domain Name is identical or confusingly similar to the SCHAEFFLER trademark, the Panel observes that the Disputed Domain Name is comprised of: (a) an exact reproduction of the Complainant's trademark SCHAEFFLER; (b) followed by a hyphen and the term "inc"; (c) followed by the generic Top-Level Domain ("gTLD") ".com".

It is well established that the gTLD used as part of a domain name is generally disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1. The relevant comparison to be made is with the second-level portion of the Disputed Domain Name, specifically: "schaeffler-inc".

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.

Although the addition of the letters "inc" may bear on assessment of the second and third elements, the Panel finds the addition of such letters 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 recognized that proving a respondent lacks rights or legitimate interests in a Disputed 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 Disputed 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.

The Panel finds that there is no indication that the Respondent was commonly known by the term “schaeffler-inc” prior to registration of the Disputed Domain Name. The Complainant has not licensed, permitted, or authorized the Respondent to use the trademark SCHAEFFLER. The Panel also notes that the term “inc” is a common abbreviation for the term “incorporated” and the composition of the Disputed Domain Name carries a risk of implied affiliation (see [WIPO Overview 3.0](#), section 2.5.1).

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 Panel notes the evidence that the Disputed Domain Name was used to send email correspondence that attempted to “deceive third parties into supplying goods on the basis of sham orders issued in the Complainant’s name”, and unsurprisingly finds that this does not represent a bona fide offering of goods or services, or a legitimate noncommercial or fair use.

Panels have held that the use of a Disputed Domain Name for illegal activity here, phishing, impersonation and passing off, or other types of fraud 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel finds that the evidence in the case shows the Respondent registered and has used the Disputed Domain Name in bad faith.

On the issue of registration, given the distinctive composition of the Disputed Domain Name, and the well-established rights the Complainant has in its trademark, the Panel is satisfied that the Respondent targeted the Complainant’s when it registered the Disputed Domain Name and is prepared to infer that the Respondent knew, or should have known, that its registration would be identical or confusingly similar to the Complainant’s trademark (see [WIPO Overview 3.0](#), section 3.2.2).

Further, a gap of several years between registration of a complainant’s trademark and a respondent’s registration of a disputed domain name (containing the trademark) may indicate bad faith registration. In this case, the Respondent registered the Disputed Domain Name some 19 years after the Complainant established registered trademark rights in the SCHAEFFLER mark. The Respondent has not come forward to rebut the Complainant’s allegations or to offer an alternative explanation.

On the issue of use, the Complainant's evidence is that the Disputed Domain Name has been used to send emails for the purpose of phishing or for other unlawful activities. In line with prior UDRP panel decisions, the Panel finds that the use of the Disputed Domain Name for illegal activity, here, phishing, impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

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-inc.com> be transferred to the Complainant.

/Nicholas Weston/

Nicholas Weston

Sole Panelist

Date: January 13, 2026