

ADMINISTRATIVE PANEL DECISION

TÜV SÜD AG v. Jehangir Khan

Case No. D2025-5067

1. The Parties

The Complainant is TÜV SÜD AG, Germany, represented by TÜV Markenverbund e.V., Germany.

The Respondent is Jehangir Khan, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <tuvmea.com> (the “Disputed Domain Name”) 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 5, 2025. On December 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On December 9, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on December 10, 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 and a second amended Complaint on December 10, 2025.

The Center verified that the Complaint together with the amended Complaint and a second 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 sent an email communication to the Center on December 11, 2025. However, the Respondent did not file any formal Response. Accordingly, the Center notified the commencement of panel appointment process on January 2, 2026. The Respondent sent further email communication to the Center on January 3, 2026.

The Center appointed Mariia Koval as the sole panelist in this matter on January 7, 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, founded in 1866, is a management holding company, which is independent service company that tests, inspects and certifies technical systems, facilities and objects of all kinds in order to minimize hazards and prevent damages. The Complainant performs sovereign tasks in the fields of vehicle monitoring, driver licensing and equipment and product safety. In 2021, the Complainant generated annual sales of EUR2.7 billion with 25,000+ employees. As of June 2022, the Complainant listed more than 1,000 locations throughout Germany, Europe, America, and Asia; around 40 percent of sales are generated abroad.

The Complainant is the owner of numerous TÜV trademark registrations (the “TÜV Trademark”) in different jurisdictions, among which are:

- German Trademark Registration No. 30663617, registered on November 9, 2007, in classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45;
- European Union Trade Mark No. 005825781, registered on June 19, 2008, in classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45; and
- United Arab Emirates Trademark Registration No. 46664, registered on April 19, 2003, in class 41.

The Complainant operates the domain name <tuvsud.com>, reflecting its TÜV Trademark for promoting its products and services. The Complainant has also made substantial investments to develop a strong presence online by being active on various social media platforms, including Facebook, Instagram, YouTube, and LinkedIn.

The registration date of the Disputed Domain Name is November 11, 2023. As at the date of this Decision, the Disputed Domain Names automatically redirects to website “www.tuvmea.pk”. According to the Complainant, as at the date of filing of the Complaint the Disputed Domain Name resolved to the active website offering services identical to those of the Complainant.

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 the Disputed Domain Name is confusingly similar to its TÜV Trademark since it consists of the Complainant’s TÜV Trademark, plus the additional term “mea” (used for “middle east”), which does not prevent a finding of confusing similarity.

The Complainant further claims that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name in view of the following. There is no evidence that the Respondent has used the Disputed Domain Name in connection with a bona fide offering of goods or services. The Disputed Domain Name was used to offer services of training, certification testing and inspection and thus for the same services for which the Complainant’s TÜV Trademark is registered. The Respondent is not commonly

known by the Disputed Domain Name. The Respondent is also not making a legitimate noncommercial or fair use of the Disputed Domain Name. The Respondent used the Complainant's logo on the website under the Disputed Domain Name, that makes it clear that the Respondent's sole intention was to evoke associations with the Complainant's TÜV Trademark.

The Complainant further contends that the Respondent registered and is using the Disputed Domain Name in bad faith based on the following. The Respondent has intentionally chosen the Disputed Domain Name to attract, for commercial gain, Internet users to its website or other online location, by faking a connection with the TÜV Trademark and the original TÜV companies and therefore creating a likelihood of confusion with the Complainant's TÜV Trademark. The Disputed Domain Name is clearly designed to lead visitors to believe that the services advertised are offered by one of the TÜV companies or their subsidiaries. The use of the Disputed Domain Name is causing damage, harm to the goodwill and reputation of the Complainant, and is disrupting its activities.

B. Respondent

The Respondent did not reply to the Complainant's contentions. However, the Respondent sent email communications stating that it is reviewing the matter and will respond at a later time.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, a complainant to succeed must satisfy the panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name was 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. 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 trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Disputed Domain Name reproduces the Complainant's TÜV Trademark, omitting the umlaut above the letter "ü", which turns it into letter "u", with addition of the term "mea" and the generic Top-Level Domain ("gTLD") ".com". According to [WIPO Overview 3.0](#), section 1.8, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. Here, the addition of the term "mea" to the TÜV Trademark does not prevent a finding of confusing similarity.

Also, in accordance with [WIPO Overview 3.0](#), section 1.11.1, the applicable gTLD in a domain name (such as, ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

Accordingly, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's TÜV Trademark pursuant to paragraph 4(a)(i) of the Policy.

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.

There is no evidence that the Complainant has licensed or otherwise permitted the Respondent to use its TÜV Trademark or to register the Disputed Domain Name which is confusingly similar to the TÜV Trademark. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name.

Also, in accordance with [WIPO Overview 3.0](#), section 2.5.1, even where a domain name consists of a trademark plus an additional term, UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. The composition of the Disputed Domain Name – reproducing the entirety of the TÜV Trademark (except the replacement of the special letter “ü” with “u”), along with the term “mea” – carries a risk of implied affiliation with the Complainant.

Moreover, the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name without intent for commercial gain to misleadingly divert consumers or to tarnish the TÜV Trademark of the Complainant. The Disputed Domain Name previously resolved, and currently redirects, to websites where the services, the same or similar to those of the Complainant, were offered. The websites display the Complainant's TÜV Trademark and imitation of its logo, to impersonate the Complainant and deceive consumers into divulging login credentials or other personal information, thereby benefiting the Respondent financially or otherwise allegedly in an attempt of a potential fraudulent scheme. The section “About” of the website to which the Disputed Domain Name currently redirects contains the following statement: “We specialize in providing comprehensive inspection and certification services to a wide range of industries, including manufacturing, construction, energy, and more.” Moreover, the websites under the Disputed Domain Name do not disclose any relationship between the Complainant and the Respondent and the whole design of the Respondent's websites creates a false impression that these websites are ones of the Complainant's official websites or related to the Complainant.

With respect to the circumstances of this case, the Panel considers that it is obvious that the Respondent registered the Disputed Domain Name with good awareness of the Complainant and with the sole intention of commercial gain by creating a likelihood of confusion with the Complainant's TÜV Trademark.

The Respondent did not file any response to the Complaint and did not present any evidence for supporting any rights or legitimate interests in the Disputed Domain Name.

In view of the foregoing, the Panel finds that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name and that the Complainant succeeds under the second element of paragraph 4(a) of the Policy.

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 has registered and is using the Disputed Domain Name in bad faith in view of the following.

The Complainant obtained the registration of the TÜV Trademark more than 20 years earlier than the Respondent registered the Disputed Domain Name in 2023. Taking into account all circumstances of this case, the Panel finds that the Respondent was well aware of the Complainant's business and its TÜV Trademark when registering the confusingly similar Disputed Domain Name that incorporates the Complainant's TÜV Trademark. The addition of the term "mea", that could refer to middle East countries, where the Complainant carries on an active business, to the Complainant's TÜV Trademark in the Disputed Domain Name, is further evidence, that the Respondent was well aware of the Complainant's TÜV Trademark and business at the time of registration of the Disputed Domain Name and has done so for the only purpose of creating an impression that the Disputed Domain Name is connected with the Complainant's TÜV Trademark. The Panel considers it is obviously bad faith that the Respondent deliberately chose the Disputed Domain Name to create a likelihood of confusion with the Complainant's TÜV Trademark.

Moreover, the Respondent's knowledge of the Complainant's TÜV Trademark is also supported by the previous and current use of the Disputed Domain Name, where the services the same or similar to those of the Complainant's were/are offered. Moreover, the website under this Disputed Domain Name contains the Complainant's TÜV Trademark and logo imitation. In view of the fact that the Disputed Domain Name previously resolved and currently redirects to the websites displaying the Complainant's TÜV Trademark, Internet users would most likely be misled into believing that this Disputed Domain Name is related to or authorized by the Complainant. The absence of any disclaimer at the website under the Disputed Domain Name also supports finding of bad faith. Additionally, as the Disputed Domain Names currently redirects to the website "www.tuvmea.pk", the Panel finds that the Respondent's apparent switch of the website under the Disputed Domain Name from TLD ".com" to country code TLD ".pk" during this proceeding constitutes further evidence of bad faith.

According to section 3.1.4 of the [WIPO Overview 3.0](#), UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. The Panel is of the opinion that it is clear that the Respondent, having registered and used the Disputed Domain Name, which is confusingly similar to the Complainant's widely-known TÜV Trademark, intended to disrupt the Complainant's business and confuse Internet users seeking or expecting the Complainant's website. In view of the absence of any evidence to the contrary and the fact that the Respondent did not file any response to these proceedings, the Panel concludes that the Respondent has registered and is using the Disputed Domain Name in bad faith.

In view of the foregoing, the Panel finds that the paragraph 4(a)(iii) of the Policy has been satisfied by the Complainant and accordingly, the Disputed Domain Name was registered and is being used in bad faith.

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 <tuvmea.com> be transferred to the Complainant.

/Mariia Koval/

Mariia Koval

Sole Panelist

Date: January 21, 2026