

## **ADMINISTRATIVE PANEL DECISION**

Schaeffler Technologies AG & Co. KG v. MARK SMITH, ABOGROUPINGS  
Case No. D2025-5197

### **1. The Parties**

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

The Respondent is MARK SMITH, ABOGROUPINGS, United States of America.

### **2. The Domain Name and Registrar**

The disputed domain name <schaeffler-inc.org> 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 11, 2025. On December 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 15, 2025, the Registrar transmitted by email to the Center its verification response, confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 9, 2026.

The Center appointed Taras Kyslyy as the sole panelist in this matter on January 15, 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 a listed German family-owned supplier to the automotive and mechanical engineering industries since 1946. The Complainant employs over 80,000 people at 180 locations worldwide, of which around 30,000 are in Germany. The turnover amounted to over EUR 15 billion in 2022. The Complainant has its headquarters in Herzogenaurach, Germany and a large number of local subsidiaries worldwide, in particular in Asia, and an intense presence in the respective markets.

The Complainant has secured ownership of numerous trademark registrations for SCHAEFFLER in many jurisdictions throughout the world, including for instance International Registration No. 917515, registered on March 20, 2006, designating also the United States of America.

The Complainant is the owner of the domain names <schaeffler.com> and <schaefflergroup.com>. The Complainant claims it owns numerous other domain names consisting of or including its SCHAEFFLER trademark, registered under various generic Top-Level Domains ("gTLDs") as well as under a number of country-code Top-Level Domains ("ccTLDs"), e.g. <schaeffler.de>, <schaeffler.eu>, <schaeffler.cn> and <schaeffler.asia>.

The Complainant promotes its products and services in particular on its website at "www.schaeffler.com" in German and English as well as various other languages. The Complainant has also made substantial investments to develop a strong presence online by being active on various social-media platforms such as Facebook, Instagram and Youtube.

The disputed domain name was registered on November 21, 2025 and does not resolve to any active 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.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's trademark. The disputed domain name incorporates the Complainant's mark in its entirety, with the mere addition of the hyphen and the descriptive suffix "inc", followed by the ".org" gTLD. The mark remains clearly recognizable within the disputed domain name. The term "inc" is a common abbreviation for "incorporated" and is likely to be perceived by Internet users as indicating a corporate form of the Complainant rather than distinguishing the disputed domain name from the Complainant's mark. The applicable gTLD ".org" is a technical registration requirement and is generally disregarded when assessing confusing similarity.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not licensed, authorized, or otherwise permitted the Respondent to use its trademark in a domain name or in any other manner. The Respondent is not a distributor, supplier, contractor, or other business partner of the Complainant, 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 Complainant's mark. The Respondent is not commonly known by the names "Schaeffler", "Schaeffler Inc", or any similar designation. The Complainant is not aware of any trade name, company name, or other identifier legitimately used by the Respondent corresponding to the disputed domain name. The disputed domain name does not resolve to any genuine content but is merely passively held. The disputed domain name wholly incorporates the Complainant's mark with the addition of the descriptive corporate suffix "-inc" and the ".org" gTLD. This structure clearly suggests an association with the Complainant or a group company, rather than with any independent right or identity of the Respondent.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant's trademark is distinctive and enjoys substantial reputation in the automotive and industrial sectors. The disputed domain name consists of the Complainant's mark in its entirety together with the generic corporate suffix "inc", which Internet users are likely to understand as an abbreviation of "incorporated" and thus as denoting a corporate entity belonging to the Complainant. Given the distinctive nature of the Complainant's mark, its prior use and registration, and the specific combination of the mark with the suffix "-inc", it appears that the Respondent was aware of the Complainant and its mark when it registered the disputed domain name and deliberately chose it to create an association with the Complainant. There is no plausible explanation on the record for such a choice other than to capitalize on or otherwise exploit the Complainant's reputation. The disputed domain name resolves to a blank page and is thus passively held. The Respondent has not provided any response in these proceedings, nor any explanation or evidence of an actual or contemplated good-faith use of the disputed domain name. The absence of active use does not prevent a finding of bad faith, taking into account the distinctiveness and reputation of the Complainant's mark; the fact that the disputed domain name wholly incorporates that mark with the addition of the corporate indicator "-inc", thereby suggesting an official or affiliated entity of the Complainant; the absence of any rights or legitimate interests on the part of the Respondent in the disputed domain name; and the Respondent's failure to come forward with any explanation or evidence of a legitimate purpose, despite having the opportunity to do so.

## **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 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 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, a hyphen and “inc”, 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 applicable gTLD in a domain name (e.g., “.com”, “.club”, “.nyc”) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. Thus, the Panel disregards gTLD “.org” for the purposes of the confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

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 available evidence does not confirm that the Respondent is commonly known by the disputed domain name, which could demonstrate its rights or legitimate interests (see, e.g., *World Natural Bodybuilding Federation, Inc. v. Daniel Jones, TheDotCafe*, WIPO Case No. [D2008-0642](#)).

The Complainant did not license or otherwise agree to use of its prior registered trademarks by the Respondent. The Panel also notes that the disputed domain name incorporates the mark together with the term “inc”, and the choice of this term, on balance, supports an inference that the Respondent intended to take unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website at the disputed domain name.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name incorporating the reputable Complainant's trademark. On the balance of probabilities, the Panel finds that the Respondent knew or should have known of the Complainant and its registered trademarks when registering the disputed domain name.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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.org> be transferred to the Complainant.

*/Taras Kyslyy/*

**Taras Kyslyy**

Sole Panelist

Date: January 27, 2026