ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
The Raymond Corporation v. Dieter Right
Case No. D2026-0122

1. The Parties

Complainant is The Raymond Corporation, United States of America (the "U.S."), represented by Quarles & Brady LLP, U.S.

Respondent is Dieter Right, U.S.

2. The Domain Name and Registrar

The disputed domain name <careers-raymondcorp.com> (the "Domain Name") is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 12, 2026. On January 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 13, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on January 14, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on January 15, 2026.

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 Respondent of the Complaint, and the proceedings commenced on January 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 8, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on February 9, 2026.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on February 11, 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

Complainant is a provider of material handling products and intralogistics solutions, such as forklift trucks, high-reach forklift trucks, pedestrian-controlled forklift trucks and pallet trucks, order picker trucks, structural parts and related software. Complainant has thousands of employees across 100 key locations across North America. Complainant began using its RAYMOND mark at least as early as November 1950 in connection with various electric motors and electrical components and products; September 5, 1951, in connection with its forklifts and similar material handling vehicles; and September 1965 for related repair, rebuilding, modification and maintenance services for the material handling vehicles.

Complainant owns and operates the following United States trademarks registrations for use with various goods and services related to its forklift business:

- U.S. registered trademark number 859985 for the RAYMOND word mark, registered on November 12, 1968;
- U.S. registered trademark number 857018 for the RAYMOND word mark, registered on September 17, 1968; and
- U.S. registered trademark number 1850887 for the RAYMOND word mark, registered on August 23, 1994.

Complainant also owns and operates the domain name <raymondcorp.com>, having registered it on November 22, 1995.

The Domain Name was registered on October 3, 2025. At the time of this Decision, the Domain Name resolves to an inactive site. Around October 30, 2025, an email address associated with the Domain Name was configured and used to facilitate the sending of emails to Complainant's potential job applicant, passing off as originating from one of Complainant's employees, in an attempt to facilitate a fraudulent hiring scheme. Complainant has provided evidence demonstrating that it received a complaint substantiating the above.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that (i) the Domain Name is confusingly similar to Complainant's trademark; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has trademark registrations and rights for RAYMOND and that Respondent registered and is using the Domain Name, with the intention to confuse Internet users, impersonate Complainant, and send illegal emails for the purpose of defrauding potential job applicants.

Complainant notes that it has no affiliation with Respondent, nor authorized Respondent to register or use a domain name which includes Complainant's trademark, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Name. Rather, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name to defraud a potential applicant for a job

offered by Complainant, when Respondent clearly knew of Complainant's rights. Specifically, Complainant argues that Respondent registered the Domain Name to impersonate employees of Complainant in furtherance of a fraudulent hiring scheme.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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

(i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
(ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
(iii) the Domain Name was registered and is being used in bad faith.

Section 4.3 of WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1") states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's contentions are accurate.

Thus, although in this case Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Complainant has provided evidence of its rights in the RAYMOND trademark, as noted above. Complainant has therefore proven that it has the requisite rights in the RAYMOND trademark. The Domain Name was registered over 50 years after the first use date of Complainant's RAYMOND trademark and certainly decades after registration of Complainant's U.S. federally registered RAYMOND trademark.

With Complainant's rights in the RAYMOND trademark established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain ("TLD") in which it was registered (in this case, ".com"), is identical or confusingly similar to Complainant's trademark. See, *e.g., B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. D2010-0842.

Here, the Domain Name is confusingly similar to Complainant's RAYMOND trademark. The RAYMOND trademark is recognizable in the Domain Name.

The addition of the term "careers-" before "raymond" and addition of the term "corp" following "raymond" in the Domain Name does not prevent a finding of confusing similarity between the Domain Name and the RAYMOND trademark. See section 1.8 of the WIPO Overview 3.1.

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, *e.g.*, *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. D2008-1393. Once a complainant makes such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always

remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its RAYMOND trademark and does not have any rights or legitimate interests in the Domain Name. Complainant has confirmed that Respondent is not affiliated with Complainant, or otherwise authorized or licensed to use the RAYMOND trademarks or to seek registration of any domain name incorporating these trademarks. Respondent is also not known to be associated with the RAYMOND trademark and there is no evidence showing that Respondent has been commonly known by the Domain Name.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, the record shows that Respondent had used the Domain Name to engage in illegal activity, namely, the impersonation of a fictitious employee of Complainant, in an attempt to fraudulently solicit hiring of an applicant legitimately seeking employment with Complainant, including a fraudulent interview of the job applicant via Zoom, for a non-existent job with Complainant.

UDRP panels have consistently held that use of a domain name for illegal activity – such as email phishing, impersonation, or passing off – can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Accordingly, Complainant has provided evidence supporting its prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name. Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a respondent, namely:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you 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 website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location."

The Panel finds that Complainant has provided ample evidence to show that registration and use of the RAYMOND trademark long predate the registration of the Domain Name. Complainant is also well established and known. Therefore, and also noting the use analysis below, Respondent was clearly aware of the RAYMOND trademark when it registered the Domain Name.

The Panel therefore finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. *See Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. D2011-2209; *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. D2001-1070; and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. D2006-0007.

Moreover, the Domain Name's inclusion of Complainant's trademark in its entirety, in a similar manner as Complainant uses it in its own domain name <raymondcorp.com>, is clearly intended to confuse Internet users into believing the Domain Name belongs to Complainant, as affirmed by use of the Domain Name in furtherance of a fraudulent scheme. Such adoption of Complainant's trademark at the time of registration of the Domain Name is a common tactic for phishing schemes, where individuals seek to pass themselves off as legitimate businesses in the hopes of seeking confidential information and potential transfers of funds.

As noted above, the record shows that Respondent had used the Domain Name to engage in illegal activity, namely the impersonation of a fictitious employee of Complainant in an attempt to fraudulently solicit an interview from an applicant interested in seeking employment with Complainant. UDRP panels have consistently held that a respondent's use of a domain name to trade off goodwill in a complainant's well-known trademark and impersonate complainant, as here, constitutes bad faith. Moreover, such use of the Domain Name may potentially result in tarnishing Complainant's reputation and goodwill.

Furthermore, Respondent used a proxy service or selected a registrar with default proxy services to mask its identity. The Panel finds that such use of the Domain Name as to pose as Complainant's employee, conducting a fraudulent interview via Zoom with the potential applicant, constitutes fraud and does not confer rights or legitimate interests on Respondent.[1]

Finally, the Panel also notes the composition of the Domain Name, and the failure of Respondent to submit a Response to the Complaint or to provide any evidence of actual or contemplated good-faith use. Under the circumstances of this case, the Panel finds that the current non-use of the Domain Name does not prevent by itself a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.1, section 3.3.

Accordingly, the Panel finds that Respondent registered and is using the Domain Name in bad faith and Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <careers-raymondcorp.com> be transferred to Complainant.

/Kimberley Chen Nobles/
Kimberley Chen Nobles
Sole Panelist
Date: February 20, 2026

[1] Complainant confirmed that no person with the name used is in its employ.