

ADMINISTRATIVE PANEL DECISION

DEUTZ AG v. Joan Clackson

Case No. D2026-0297

1. The Parties

The Complainant is DEUTZ AG, Germany, represented by Bettinger Rechtsanwälte, Germany.

The Respondent is Joan Clackson, United States of America.

2. The Domain Name and Registrar

The disputed domain name <deutzreservedele.com> (the “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 January 26, 2026. On January 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 28, 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 (“Registrant contacts Privacy Protected”) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 28, 2026, 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 January 29, 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 the Respondent of the Complaint, and the proceedings commenced on February 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 23, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on February 26, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a manufacturer of drive systems. It was founded in 1864 and is today a large producer of diesel, gas, and electrified engines for a wide range of applications. The Complainant operates internationally.

The Complainant owns trademark registrations for the DEUTZ name and logo in numerous jurisdictions, such as International Trademark Registration No. 174094 (registered on January 21, 1954). The Complainant owns a domain name portfolio with domain names such as <deutz.com> and <deutzusa.com>. The Complainant is also active on professional and social media platforms.

The Domain Name was registered on December 6, 2025. The Complainant documents that the Domain Name resolves to a webpage purporting to offer “original” or “genuine” Deutz parts (alongside third-party competing products) and international shipping. The “Contact Us” and the “FAQ” pages describe the website as a trusted supplier of spare parts to the Complainant’s products. The website also prominently displays a logo incorporating the term “DEUTZ” together with the additional wording “reserve dele”.

5. Parties’ Contentions

A. Complainant

The Complainant documents registered trademark rights. The Complainant argues that the Domain Name is confusingly similar to the Complainant’s trademark. The Domain Name incorporates the Complainant’s trademark with the addition “reserve dele”. The addition is a descriptive term from Scandinavian languages meaning “spare parts”. The addition does not prevent a finding of confusing similarity. On the contrary, the addition may increase the likelihood of confusion.

The Complainant asserts that the Respondent is not authorized by the Complainant. The Complainant argues that the Respondent cannot establish rights in the Domain Name, as the Respondent has not made any use of, or demonstrable preparations to use, the Domain Name in connection with a bona fide offering. The Respondent fails to meet the Oki Data criteria for bona fide reseller use. There is no clear and accurate disclosure of the lack of affiliation. The Domain Name falsely suggests official status. The Respondent offers competing third-party products on its webpage. Finally, the Respondent made unauthorized use of a modified Complainant’s logo.

The composition and use of the Domain Name demonstrate that the Respondent registered the Domain Name with the Complainant and its trademark firmly in mind. The Respondent’s use of the Domain Name is evidence of bad faith as is documents that the Respondent is attempting to attract Internet users for commercial gain through the creation of a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website. The Respondent’s use does not comply with the principles the Oki Data-test. The Respondent’s use is not bona fide, but made in bad faith.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The first element functions primarily as a standing requirement. The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. See [WIPO Overview 3.1](#), section 1.7.

The Complainant has established rights in its trademark DEUTZ. The Domain Name incorporates the Complainant's trademark with "reservedele" added. The addition means "spare parts" in some Scandinavian languages. The addition does not prevent a finding of confusing similarity between the Domain Name and the Complainant's trademark. See [WIPO Overview 3.1](#), section 1.8. For the purposes of assessing confusing similarity under paragraph 4(a)(i) of the Policy, it is permissible for the Panel to ignore the generic Top-Level Domain ("gTLD") as it is viewed as a standard registration requirement. See [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with 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. While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant has satisfied the second element. See [WIPO Overview 3.1](#), section 2.1.

The Complainant asserts that the Respondent is not affiliated with nor authorized by the Complainant. There is no evidence suggesting that the Respondent has any rights or legitimate interests in the Domain Name.

The Respondent's use of the Domain Name - as described above – does not meet the criteria for bona fide reseller use. The Respondent does not sell only the Complainant's trademarked goods, nor does his site accurately and prominently disclose the Respondent's relationship with the trademark holder. See [WIPO Overview 3.1](#), section 2.8.

The Panel finds that the Complainant has made out a prima facie case showing that the Respondent has no rights or legitimate interests in the Domain Name. It has not been rebutted by the Respondent. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in

accordance with paragraph 4(a)(ii) 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.

The composition and use of the Domain Name manifest that the Respondent was aware of the Complainant's trademark when the Respondent registered the Domain Name. The Respondent's use as

described above is in bad faith. The Domain Name appears to be registered to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's trademark.

The Panel concludes that the Domain Name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) 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 the Domain Name <deutzreservedele.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: March 3, 2026