

ADMINISTRATIVE PANEL DECISION

Wüsthof Dreizack GmbH & Co. KG v. 郭田田 (Guo Tian Tian)
Case No. D2026-1043

1. The Parties

The Complainant is Wüsthof Dreizack GmbH & Co. KG, Germany, represented by McDermott Will & Schulte Rechtsanwälte Steuerberater LLP, Germany.

The Respondent is 郭田田 (guo tian tian), China.

2. The Domain Name and Registrar

The disputed domain name <wusthofknife.com> (the “Disputed Domain Name”) is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on March 11, 2026. On March 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 12, 2026, 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 March 12, 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 in English and provided a Chinese translation on March 16, 2026.

On March 12, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the Disputed Domain Name is Chinese. On March 16, 2026, the Complainant confirmed its request that English be the language of the proceeding and submitted the amended Complaint translated into Chinese. The Respondent did not submit any comment on the Complainant’s submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on March 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 11, 2026.

The Center appointed Andrew Sim as the sole panelist in this matter on April 17, 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 German company engaging in the manufacture and sale of cutlery. It currently offers its products in more than 80 jurisdictions worldwide, including China.

The Complainant holds several registered trademarks for WUSTHOF and WÜSTHOF (collectively referred to as the "Marks", and individually as the "Mark" in various jurisdictions around the world:

Jurisdiction	Mark	Registration/Serial Number	Registration Date	Class Covered	Status
European Union	WÜSTHOF	001233873	July 21, 2000	8 and 21	Registered
Germany	 WÜSTHOF	3020191100697	October 16, 2019	7, 8, 21, 35, and 41	Registered
Japan	WUSTHOF	2004-352717	July 29, 2005	8 and 21	Registered

The Complainant also owns domain names associated with the Mark, including <wusthof.com> and <wusthof.cn>, which have been registered since November 2, 1998 and June 7, 2006 respectively. The Complainant maintains its presence on the Internet and offers its products through its official website at "www.wusthof.com" (the "Official Website"). Upon the Panel's own visit to the Official Website, the WÜSTHOF Mark is displayed prominently within the header of the Official Website.

The Disputed Domain Name was registered on December 21, 2025. Based on the Complainant's evidence, it previously resolved to a website (the "Respondent's Website") that prominently displayed the Complainant's WÜSTHOF Mark, and provided information about the Complainant's knives bearing the Marks including the comparison between the Complainant's knives and knives from a different brand. At the time of this Decision, the Disputed Domain Name does not resolve to any active website.

Little information is known about the Respondent. Available information provided by the Registrar covers only the registrant's name, postal address, telephone number, and email address.

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.

First, the Complainant contends that the Disputed Domain Name is confusingly similar to the Complainant's WUSTHOF Mark and domain names, <wusthof.com> and <wusthof.cn>, as the radical of the Disputed Domain Name incorporates the entirety of the WUSTHOF Mark and the radical of the Complainant's domain names, <wusthof.com> and <wusthof.cn>.

Second, the Complainant contends that the Respondent lacks rights or legitimate interests in the Disputed Domain Name for the reasons below:

- (a) there is no evidence that the Respondent is commonly known by the Disputed Domain Name;
- (b) the Complainant has not licensed, authorized, or otherwise permitted the Respondent to register or use the Marks, nor is the Respondent affiliated with the Complainant in any form; and
- (c) the Respondent has not been using, or preparing to use, the Disputed Domain Name in connection with a bona fide offering of goods and services, nor has the Respondent made a legitimate noncommercial or fair use of the Disputed Domain Name.

Third, the Complainant contends that the Disputed Domain Name was registered and is being used in bad faith for the reasons below:

- (a) the registration and use of the Disputed Domain Name appears to be an attempt to rely on the Complainant's and its Marks' goodwill to attract commercial gain resulting from visitors' confusion as to source, affiliation or endorsement; and
- (b) the Marks are well known trademarks, so the Respondent knew or should have known of the Complainant's rights in the Marks.

B. Respondent

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

6. Discussion and Findings

6.1. Language of the Proceeding

The language of the Registration Agreement for the Disputed Domain Name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including:

- (a) the Respondent has a certain level of knowledge of English, as (i) the Disputed Domain Name is registered using Latin characters, rather than Chinese characters, and (ii) the Respondent's Website is entirely in English; and
- (b) conducting the proceeding in the Respondent's native language (i.e., Chinese) would be unfairly disadvantageous to the Complainant.

The Respondent did not make any specific submissions with respect to the language of the proceeding. This is despite the fact that the Center had sent the notification of the Complaint which includes instructions on the language of the proceeding to the Respondent in both Chinese and English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Substantive Issues

Paragraph 4(a) of the Policy states that, in an administrative proceeding, the Complainant must prove each of the following three elements:

- (a) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (b) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- (c) the Disputed Domain Name has been registered and is being used in bad faith.

For the below reasons, support for the Complaint can be found due to the satisfaction of the three conditions for the Disputed Domain Name.

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the WUSTHOF Mark is reproduced within the Disputed Domain Name. Although the addition of the term "knife" 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 WUSTHOF Mark for the purpose of the Policy. [WIPO Overview 3.1](#), section 1.8. The generic Top-Level Domain ".com" is typically disregarded in the confusing similarity test. [WIPO Overview 3.1](#), section 1.11.

Accordingly, the Disputed Domain Name is confusingly similar to the WUSTHOF Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 that 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 3.1](#), 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.

From the overall appearance of the Respondent's Website as described in section 4 above, the Panel finds that the Respondent's Website is being used for illegal or illegitimate activities purportedly impersonating the Complainant. Panels have held that the use of a domain name for illegal activities, such as impersonation and passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Particularly with regard to the three illustrative examples of legitimate interests in paragraphs 4(c) of the Policy, the Panel finds that:

- (a) the Respondent has not used the Disputed Domain Name in connection with a bona fide offering of goods and services, as the Panel has ruled that the Respondent's Website is being used for impersonating the Complainant;
- (b) the Disputed Domain Name does not correspond with the Respondent's name (i.e., "guo tian tian (郭田田)"), and there is no evidence of the Respondent operating any business or organization with similar name as the Disputed Domain Name; and
- (c) the Respondent's use of the Disputed Domain Name does not fall within the scope of legitimate noncommercial or fair use, as the Respondent's Website is being used to wrongfully suggest affiliation with the Complainant.

Moreover, the nature of the Disputed Domain Name, which incorporates the Complainant's Mark together with the term "knife" (despite the misspelling, i.e., the omission of the letter "s", which may not be noticed by Internet users) closely related to the Complainant's products, carries a risk of implied affiliation.

The Panel also finds that the Respondent has no rights or legitimate interests in 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.

The Panel finds that the circumstances of registering and using the Disputed Domain Name clearly demonstrate the Respondent's bad faith:

- (a) the WÜSTHOF Mark has been registered since 2000, long before the Respondent's registration of the Disputed Domain Name which is not only confusingly similar to the Marks but also to the Complainant's registered domain names such as <wusthof.com> and <wusthof.cn>;
- (b) based on the Respondent's Website content displaying the Complainant's Mark and purportedly advertising the Complainant's products, and the Complainant's evidence as to its reputation, the Panel finds that the Respondent must have had actual knowledge of the Complainant and its Marks, or at the very least, should have known of these Marks at the time of registering the Disputed Domain Name;

(c) panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain name 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. [WIPO Overview 3.1](#), section 3.1.4. Given the long period of use of the Marks by the Complainant and the non-affiliation between the Complainant and the Respondent, the Panel accepts that the presumption of bad faith is applicable to the present case;

(d) the composition of the Disputed Domain Name may mislead Internet users into believing that the website at the Disputed Domain Name is somehow associated with the Complainant; and

(e) as earlier found in section 6.2.B above that the Respondent's Website is being used for impersonating the Complainant, bad faith is manifestly apparent. [WIPO Overview 3.1](#), section 3.4.

Inference of bad faith is also drawn in accordance with paragraph 14(b) of the Rules for the Respondent's failure to file a Response as required in paragraph 5(a) of the Rules in the absence of exceptional circumstances.

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 <wusthofknife.com> be transferred to the Complainant.

/Andrew Sim/

Andrew Sim

Sole Panelist

Date: May 1, 2026