

ADMINISTRATIVE PANEL DECISION

Sennheiser electronic SE & Co. KG v. Bruce King
Case No. D2026-2293

1. The Parties

The Complainant is Sennheiser electronic SE & Co. KG, Germany, represented by Bettinger Rechtsanwälte Partnerschaft mbB, Germany.

The Respondent is Bruce King, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <sennheiseraustralia.shop> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 28, 2026. On May 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 30, 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 (Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 1, 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 June 8, 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 June 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 30, 2026.

The Center appointed Juan Lapenne as the sole panelist in this matter on July 6, 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 company that was founded in 1945 as “Laboratorium Wennebostel”. The Complainant operates in the audio industry and specializes in the design and production of a broad variety of premium audio products such as microphones, headphones, wireless technologies, monitor systems, telephone accessories, aviation and office headsets and all-round audio solutions.

The Complainant is the owner of numerous trademarks for SENNHEISER throughout the world such as:

International trademark registration No. 670839 for SENNHEISER, registered on March 6, 1997, in international class 9.

European Union trademark registration No. 000370122 for SENNHEISER, registered on August 27, 1999, in international classes 9, 10 and 16.

European Union trademark registration No. 001594308 for SENNHEISER, registered on August 21, 2001, in international classes 3, 9, 18, 21, 25, 28, 38, 41 and 42.

The Complainant is the owner of numerous domain names consisting of or including its SENNHEISER trademark. The Complainant primarily domain name is <sennheiser.com> in which the Complainant promotes its products and services.

The disputed domain name currently does not point to any active website. However, according to the documents, printouts and statements submitted by the Complainant –which have not been contested by the Respondent- prior to the present proceeding, the disputed domain name resolved to an active website offering for sale audio products at low prices.

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 trademark SENNHEISER in which the Complainant has rights, as it entirely reproduces the SENNHEISER trademark.

The addition of the geographic term “Australia” does not prevent a finding of confusing similarity. On the contrary, the addition of the term “Australia” increases the likelihood of confusion by falsely suggesting the disputed domain name refers to an official Australian branch, affiliate, distributor or regional website of the Complainant.

The Complainant contends that the addition of the generic Top-Level Domain (“gTLD”) “.shop” is irrelevant to determine the confusing similarity between the trademark and the disputed domain name.

The Complainant submits that the SENNHEISER trademark is well-known and famous and, therefore, Internet users encountering the disputed domain name will perceive it as either a domain name owned by the Complainant, or that there is some kind of commercial relation with the Complainant.

With reference to rights or legitimate interests in respect of the disputed domain name, the Complainant contends that the Respondent is not an authorized reseller of the Complainant, is not affiliated with the Complainant, and has never been licensed, authorized or permitted by the Complainant to use the trademark SENNHEISER.

The Complainant highlights that to the best of its knowledge the Respondent has no trademark or trade name under the name "Sennheiser Australia", or any similar trading name.

In addition to the above, the Complainant contends that the Respondent impersonates the Complainant by using the disputed domain name to resolve to a website that imitates Sennheiser-branded online shop and offers for sale products corresponding to the Complainant's genuine product range without disclosing the absence of relationship with the Complainant.

With reference to the circumstances evidencing bad faith, the Complainant submits that given the distinctiveness and reputation of the SENNHEISER trademark, it is inconceivable that the Respondent registered the disputed domain name without actual knowledge of the Complainant and its trademark rights.

The Complainant further argues that the Respondent uses the disputed domain name to operate a website that falsely presents itself as an official or authorized Sennheiser online shop for Australia.

Therefore, the Complainant contends that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, but is instead misleadingly diverting consumers for his own commercial gain.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15 (a) of the Rules: "A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable". Paragraph 4 (a) of the Policy directs that the Complainant must prove each of the following:

- (i) that the disputed domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) that the respondent has no rights or legitimate interests in respect of the disputed domain name;
- (iii) that the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Panel finds that the Complainant has established rights over the trademark SENNHEISER based on the trademark registrations cited under section 4 above.

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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Panel finds that the disputed domain name is confusingly similar to the SENNHEISER trademark, as it entirely incorporates the SENNHEISER trademark. See [WIPO Overview 3.1](#), section 1.7.

The disputed domain name adds the term “Australia”, which is a geographical term. The addition of geographical terms does not prevent a finding of confusing similarity between the disputed domain name and the corresponding trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8

The applicable Top-Level Domain (TLD) in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element of the confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Therefore, the Panel finds that the Complainant has proven that the disputed domain name is confusingly similar to a trademark in which the Complainant has established rights according to paragraph 4 (a)(i) of the Policy.

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.

In the instant case, the Panel notes that the Respondent is not an authorized reseller of the Complainant. The Complainant has not authorized the Respondent to incorporate its SENNHEISER trademark in the disputed domain name. Nor is the Respondent a licensee or otherwise affiliated to the Complainant.

There is no evidence to suggest that the Respondent is commonly known by the disputed domain name pursuant to paragraph 4(c)(ii) of the Policy.

The Respondent used the disputed domain name to resolve to a website displaying the Complainant's trademark and offering audio products for sale. In addition, the website displayed (according to the Complainant's printouts) the following statements, which created the overall impression that the Respondent was either the Complainant itself or was affiliated with the Complainant: “© 2026 Sennheiser. All rights reserved” and “Official Online Store Sennheiser”.

In the absence of any authorization from the Complainant, the Panel finds that the Respondent's use of the disputed domain name cannot amount to a bona fide offering of goods or services or to a legitimate noncommercial or fair use of the disputed domain name. The Respondent is misleading Internet users, inducing them to believe that the Respondent's website belongs to the Complainant or at least is sponsored by or affiliated with the Complainant, hence the Respondent is unduly profiting from the goodwill of the Complainant's well known trademark.

The use of a domain name for impersonating/passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Therefore, the Panel finds that the Complainant has proven that the Respondent has no rights or legitimate interests in the disputed domain name according to paragraph 4(a)(ii) of the Policy.

The Panel finds the second element of the Policy has been established

C. Registered and Used in Bad Faith

Paragraph 4 (a)(iii) of the Policy requires that the Complainant proves that the disputed domain name was registered and used by the Respondent in bad faith.

As to registration, the Panel finds that the Respondent has registered the disputed domain name many years after the Complainant registered its SENNHEISER trademarks. The disputed domain name incorporates the Complainant's well-known SENNHEISER trademark with the mere addition of the geographic term "Australia". Besides, the Respondent used the disputed domain name to resolve to a website in which the same products of the Complainant were offered for sale. Due to this, the Panel finds that the Respondent knew the Complainant and its trademark rights at the time of registering the disputed domain name.

Further, the Respondent's website displays the Complainant's trademark and offer for sale the same audio products of the Complainant (at highly reduced prices) with no disclaimer. On the contrary, the Respondent present itself as an official or authorized Sennheiser online shop for Australia.

Therefore, by using the disputed domain name in the manner described above, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant as to the source, sponsorship, affiliation or endorsement of its website.

Panels have held that the use of a domain name for impersonating/passing off, or other types of fraud, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the third element of the Policy has been established.

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 <sennheiseraustralia.shop> be transferred to the Complainant.

/Juan Lapenne/

Juan Lapenne

Sole Panelist

Date: July 20, 2026