

ADMINISTRATIVE PANEL DECISION

Sennheiser electronic GmbH & Co. KG v. flodingd flodingd
Case No. D2026-2850

1. The Parties

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

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

2. The Domain Name and Registrar

The disputed domain name <sennheiserhifi.com> is registered with TuringSign Inc. d/b/a Cosmotown (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 30, 2026. On July 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 3, 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 July 6, 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 July 6, 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 July 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 28, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on July 30, 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 was founded in 1945 as “Laboratorium Wennebostel” by Mr. Fritz Sennheiser and its first product was a voltmeter. Since then, the Complainant expanded to an international company with more than 2,800 employees and three different manufacturing plants, one each in Germany, Ireland and the United States, as well as sales subsidiaries and research laboratories worldwide. Today, the Complainant specializes in the design and production of a broad variety of premium audio products, including microphones, headphones, wireless technologies, monitor systems, telephone accessories, aviation and office headsets, all-round audio solutions.

The Complainant is the owner of numerous trademark registrations for SENNHEISER (“SENNHEISER Trademark”), including:

- European Union Trade Mark Registration No. 000370122, registered on August 27, 1999;
- European Union Trade Mark Registration No. 001594308, registered on August 21, 2001; and
- International Trademark Registration No. 670839, registered on March 6, 1997, designated inter alia for Austria, the Benelux Office for Intellectual Property, France, Hungary, Italy, Poland, Portugal, Romania, Russia Federation, and Switzerland.

The Complainant is also the owner of several domain names including the SENNHEISER Trademark, such as <sennheiser.com>, registered on April 24, 1996.

At the time of the Decision and when the Complaint was filed, the disputed domain name resolved to an active website prominently displaying the SENNHEISER Trademark and the Complainant's logo, as well as images of products bearing those signs, purporting to offer the Complainant's audio products at heavily discounted 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.

On the first element of the Policy, the Complainant claims that the disputed domain name is confusingly similar to the SENNHEISER Trademark. The disputed domain name incorporates the SENNHEISER Trademark in its entirety as the dominant and immediately recognizable element. The only additional element in the disputed domain name is the term “hifi”, which is a common abbreviation for “high fidelity” and is widely used in the audio and consumer electronics sector to describe high-quality sound reproduction, audio equipment, headphones, loudspeakers, amplifiers and related products. In the present case, the addition of “hifi” directly refers to the Complainant's core business in the field of audio products.

On the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not licensed, authorized, or otherwise permitted the Respondent to use the SENNHEISER Trademark, whether in a domain name or otherwise. The Respondent is not affiliated with the Complainant in any way and has never been an

authorized distributor, reseller, or partner of the Complainant. There is no evidence that the Respondent has been commonly known by the disputed domain name. The disputed domain name resolves to a website that impersonates the Complainant and purports to offer the Complainant's branded products for sale. The website prominently displays the SENNHEISER Trademark and Complainant's logo, reproduces product names and official-looking marketing content, and adopts the look and feel of an official SENNHEISER online store. The website further offers purported SENNHEISER products at heavily discounted and implausibly low prices.

On the third element of the Policy, the Complainant asserts that the Respondent has registered and used the disputed domain name in bad faith. The SENNHEISER Trademark is distinctive and well known worldwide in the field of audio equipment, headphones, microphones, wireless systems, soundbars and related accessories. The SENNHEISER Trademark has been in continuous and extensive use for decades and enjoys a strong international reputation. It is inconceivable that the Respondent registered the disputed domain name without knowledge of the Complainant and its trademark rights. The only plausible explanation for the Respondent's choice of the disputed domain name is the intention to create an association with the Complainant and to lead Internet users to believe that the disputed domain name identifies an official SENNHEISER website dedicated to high-fidelity audio products or an official SENNHEISER online shop. Further, the overall presentation is designed to impersonate the Complainant and to mislead Internet users into believing that the website is operated by, affiliated with, or authorized by the Complainant. The reference to buying "directly from Sennheiser" is particularly misleading, as it expressly conveys the impression of an official sales channel. There is no conceivable good-faith use of the disputed domain name by the Respondent in the circumstances of this case. The Respondent registered the disputed domain name with full knowledge of the well-known SENNHEISER Trademark and is using it to operate a website that impersonates the Complainant for commercial gain.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel's decision be made "on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to each disputed domain name, namely that:

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

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 Select UDRP Questions ("[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 disputed domain name contains the SENNHEISER Trademark in its entirety, with the only difference being the addition of the term “hifi”, which may be considered a common abbreviation for the expression “high fidelity”. The Panel finds the mark is recognizable within the disputed domain name. [WIPO Overview 3.1](#), section 1.7. The addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise), in this case “hifi”, does not prevent a finding of confusing similarity under the first element. [WIP Overview 3.1](#), section 1.8.

Accordingly, the disputed domain name is confusingly similar to the Trademark for the purposes 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.

Panels have categorically held that the use of a domain name for illegal activity (e.g., impersonation/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.

The Complainant has not authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the SENNHEISER Trademark. The Panel finds that there are no indications that the Respondent is commonly known by the disputed domain name or otherwise has any rights to or legitimate interests in the disputed domain name. Further, the disputed domain name is not used for a bona fide offering of goods or services. Rather, the disputed domain name resolves to an active website impersonating the Complainant by prominently displaying the SENNHEISER Trademark and the Complainant’s logo, as well as images of products bearing those signs, purporting to offer the Complainant’s audio products at heavily discounted prices.

The website linked to the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant, thus creating the false impression that the Respondent might be authorized by or affiliated with the Complainant. Instead, the website contained the misleading statement, “Why buy directly from Sennheiser”.

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 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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names 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. Panels also have held that the use of a domain name for illegitimate activity (as applicable here for impersonation/passing off) can never confer rights or legitimate interests on a respondent, and such behavior is manifestly considered evidence of bad faith. [WIPO Overview 3.1](#), section 3.1.4.

Moreover, paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

In the present case the disputed domain name incorporates the SENNHEISER Trademark in its entirety, with the only difference being the addition of the generic term "hifi", which may be considered as a common abbreviation for the expression "high fidelity", related to the Complainant's core business in the field of audio products. Considering the distinctiveness and public presence of the SENNHEISER Trademark, Internet users may think the disputed domain name is connected to the Complainant and would resolve to a website related to the Complainant. Further, the disputed domain name resolved to an active website prominently displaying the SENNHEISER Trademark and the Complainant's logo, as well as images of products bearing those signs, purporting to offer the Complainant's audio products at heavily discounted prices. Moreover, the website linked to the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant. Instead, the website contained the misleading statement, "Why buy directly from Sennheiser". As shown above, the Respondent lacks rights or legitimate interests in the disputed domain name. Therefore, the evidence leads to the conclusion that the Respondent has registered and used the disputed domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the SENNHEISER Trademark.

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 <sennheiserhifi.com> be transferred to the Complainant.

/Manuel Wegrostek /

Manuel Wegrostek

Sole Panelist

Date: August 13, 2026