

ADMINISTRATIVE PANEL DECISION

Sennheiser electronic GmbH & Co. KG v. Domain Administrator, Fundacion Privacy Services LTD
Case No. D2026-3003

1. The Parties

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

The Respondent is Domain Administrator, Fundacion Privacy Services LTD, Panama.

2. The Domain Name and Registrar

The disputed domain name <sennheiserhearing.com> is registered with Media Elite Holdings Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 8, 2026. On July 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 14, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 7, 2026.

The Center appointed Uwa Ohiku as the sole panelist in this matter on August 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, whose roots go back to 1945, is an international company specializing in the design and production of a variety of audio products. It has more than 2,800 employees, three manufacturing plants (in Germany, Ireland, and the United States of America), as well as sales subsidiaries and research laboratories worldwide.

The Complainant owns several registrations worldwide, for the trademark SENNHEISER, such as: International trademark registration No. 670839, registered on March 6, 1997; European Union Trade Mark No. 000370122, registered on August 27, 1999; and, European Union Trade Mark No. 001594308 registered on August 21, 2001.

The Complainant also owns several domain names featuring the SENNHEISER trademark, including the domain name <sennheiser.com> registered on April 24, 1996, which hosts the Complainant's main website. The Complainant's social media presence - Instagram, X, YouTube, Facebook - also features the mark.

The disputed domain name was registered on March 14, 2023, and at the date of the Complaint and this decision, resolved to a landing page with pay-per-click links displaying information such as "HEARING AID DEALS", "BEST HEARING AID IN 2026", etc., with the browser address bar showing the URL as "ww1.sennheiserhearing.com".

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied all the elements required under the Policy for a transfer of the disputed domain name. The Complainant contends particularly as follows:

Identical or Confusingly Similar: that its rights in the trademark SENNHEISER predate the registration of the disputed domain name and that the entirety of the trademark is reproduced and recognizable within the disputed domain name, making the disputed domain name confusingly similar to the trademark.

No Rights or Legitimate Interests: that the Complainant has not licensed, authorized or otherwise permitted the Respondent to use the SENNHEISER trademark whether in a domain name or otherwise; that the Respondent is not affiliated with the Complainant in any way and is not an authorized distributor, reseller or partner of the Complainant; that the Respondent has not been commonly known by the disputed domain name and no records show that the Respondent has acquired any trademark or trade name rights corresponding to the disputed domain name; that the Respondent is not making a bona fide offering of goods or services under the disputed domain name, which resolves to a commercial landing page with advertising/pay-per-click links relating to hearing aids and other products and services such as "HEARING AID DEALS", "BEST HEARING AID IN 2026", etc.; that the composition and use of the disputed domain name creates a misleading association with the Complainant and its business.

Registered and Used in Bad Faith: that the Complainant's mark SENNHEISER is distinctive and well known worldwide and has been in continuous and extensive use for decades and enjoys a strong international reputation; that the disputed domain name reproduces the Complainant's mark in its entirety and the addition of the term "hearing" reinforces an association with the Complainant and suggests a website connected with the Complainant's hearing-related business; that it is inconceivable that the Respondent did not know of the Complainant and its trademark rights at the time of registering the disputed domain name; that UDRP panels have held that the registration of domain names incorporating well-known trademarks combined with a descriptive term referring to the Complainant's goods, services or sector of activity, supports a finding of bad faith registration; that the choice of the term "hearing" is not coincidental but intentionally 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 "hearing-related products, services or

information”; that the manner of use of the disputed domain name to direct Internet users to a commercial landing page containing pay-per-click links relating to hearing aids falls within paragraph 4(b)(iv) of the Policy which provides that bad faith exists where a respondent uses a domain name to intentionally attempt to attract, for commercial gain, Internet users to its website or other online location by creating a likelihood of confusion with the Complainant’s mark as to source, sponsorship, affiliation or endorsement; that taking all the circumstances of this case into consideration, there is no conceivable good faith explanation for the Respondent’s registration and use of the disputed domain name.

The Complainant supports its contentions with copious evidence comprising several annexes and references to previous UDRP panel decisions, including references to applicable provisions of the Rules, the Policy and the WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), respectively.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to “decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any other rules and principles of law that it deems applicable”.

The Respondent’s failure to file a Response to the Complaint or to rebut any of the Complainant’s contentions does not relieve the Complainant of its responsibility to establish all three elements enumerated in paragraph 4(a) of the Policy for a transfer of the disputed domain name and the Panel must verify that all three elements are indeed established. [WIPO Overview 3.1](#), section 4.3.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement and 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 entirety of the Complainant’s mark SENNHEISER is reproduced and recognizable within the disputed domain name and the Panel accordingly finds that the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. The addition of the term “hearing” does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s mark SENNHEISER for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. Further, the generic Top-Level Domain (“gTLD”) “.com” is disregarded when assessing confusing similarity, being a standard registration requirement.

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.

Whilst the complainant in a UDRP proceeding bears the overall burden of proof (this burden always remains 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”, as it requires information that is often primarily within the knowledge or control of the respondent. Thus, where a complainant makes

out a prima facie case that the respondent lacks rights or legitimate interests, the burden shifts to the respondent, to produce relevant evidence to demonstrate that it has rights or legitimate interests in the disputed domain name. If the respondent fails to come forward accordingly, 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 had an opportunity to rebut the Complainant's contentions and prima facie showing but did not come forward with any relevant evidence such as enumerated in the Policy or otherwise, to demonstrate 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

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 making this assessment as well. [WIPO Overview 3.1](#), section 3.2.1.

The Panel has considered the assertions made by the Complainant and the evidence provided in support thereof, including the evidence of the Respondent's registration and use of the disputed domain name, all of which are unrebutted by the Respondent. The Complainant's mark SENNHEISER has been registered in several jurisdictions around the world and has been used by the Complainant and gained a reputation in relation to audio products. Further, the Complainant's mark SENNHEISER predates the disputed domain name. The inherently misleading disputed domain name comprises the SENNHEISER mark entirely, with the addition of the term "hearing", which in the Panel's view, further supports a finding of bad faith on the part of the Respondent given the products and the business of the Complainant.

Given the widespread registration and use of the Complainant's mark SENNHEISER and taking all the circumstances of this case into consideration, the Panel concludes that it is highly unlikely that the Respondent was not aware of the Complainant and its SENNHEISER mark when the Respondent registered the disputed domain name. Rather, the Panel is of the view that the Respondent knew of the Complainant and its mark when it registered the disputed domain name and intentionally targeted the Complainant's mark to attract, for commercial gain, Internet users to the website associated with the disputed domain name, where competing pay-per-click links are displayed, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website.

Taking all the foregoing into account, and the available record, the Panel finds that the Complainant has established the third element of the Policy and that the disputed domain name was registered and is being used by the Respondent in bad faith.

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 <sennheiserhearing.com> be transferred to the Complainant.

/Uwa Ohiku/

Uwa Ohiku

Sole Panelist

Date: August 25, 2026