

ADMINISTRATIVE PANEL DECISION

Wüsthof Dreizack GmbH & Co. KG v. Lucas Foster, Donald Martin, Jerry Fuller, Wesley Powell, David Anderson
Case No. D2026-3135

1. The Parties

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

The Respondents are Lucas Foster, United States of America, Donald Martin, United States of America, Jerry Fuller, United States of America, Wesley Powell, United States of America, and David Anderson, United States of America.

2. The Domain Names and Registrar

The disputed domain names <mywusthof.shop>, <thewusthof.shop>, <wusthofonline.shop>, <wusthofpremium.shop>, and <wusthofshop.shop> are registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 16, 2026. On July 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 20, 2026 and July 21, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for privacy, 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 July 21, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. The Complainant filed an amended Complaint on July 28, 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 Respondents of the Complaint, and the proceedings commenced on July 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on August 19, 2026.

The Center appointed Richard C.K. van Oerle as the sole panelist in this matter on August 20, 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 which, together with its affiliates, produces cutlery and similar products and sells same in more than 80 countries worldwide, including in the European Union, the United Kingdom, the United States of America, and China.

The Complainant owns numerous trademark registrations for WÜSTHOF and WUSTHOF (without an umlaut), including:

- European Union Trademark Registration No. 001233873 WÜSTHOF, registered on July 21, 2000;
- Japanese Trademark Registration No. 2004-352717 WUSTHOF, registered on July 29, 2005; and
- German Trademark Registration No. 302019110069, , registered on October 16, 2019.

All registrations have been duly renewed and are still valid. The registrations will jointly be referred to, in singular, as the “Trademark” or the “WUSTHOF Trademark”, or “WÜSTHOF Trademark”.

The Complainant owns domain names incorporating its WÜSTHOF and WUSTHOF Trademarks, including <wusthof.com>, registered on November 2, 1998, and <wusthof.cn>, registered on June 7, 2006. The Complainant has been using both domain names for its official websites.

The disputed domain names were registered on the following dates:

- <wusthofonline.shop> on May 17, 2026;
- <mywusthof.shop> on May 20, 2026;
- <wusthofshop.shop> on May 21, 2026;
- <wusthofpremium.shop> on May 27, 2026; and
- <thewusthof.shop> on June 12, 2026.

The Complainant has submitted evidence showing that the websites the disputed domain names resolve to have copied the Complainant’s official website to a substantial extent, including through featuring the Complainant’s logo, design elements and images from the Complainant’s website.

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 names.

Notably, the Complainant contends that the disputed domain names incorporate the Complainant's WÜSTHOF Trademark in its entirety. The German umlaut "ü" does not exist in English and cannot be used within a domain name. Hence, the disputed domain names are identical or confusingly similar to the Complainant's Trademark.

The Complainant further contends that the Respondents have not used the disputed domain names in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. The Respondents are not authorized or endorsed by the Complainant. The Respondents used the disputed domain names to set up fake shops pretending to either be identical to the Complainant or at least authorized to act on behalf of the Complainant. By using the disputed domain names as described, the Respondents intentionally try to attract, for illegitimate commercial gain, Internet users by creating a likelihood of confusion with the Complainant, and to obtain credit card and contact information from unsuspecting Internet users. Moreover, the Respondents are not commonly known by the disputed domain names and do not have any prior rights in respect of the disputed domain names. In addition, the Respondents' failure to provide complete or accurate contact information is indicative of bad faith.

The Respondents registered and are using the disputed domain names with the intention to confuse Internet users looking for bona fide and well-known WUSTHOF products as available in the Complainant's official web shop at the domain name <wusthof.com>. The Complainant notes that it has no affiliation with the Respondents, nor authorized the Respondents to register or use a domain name, which includes the Complainant's Trademarks, and that the Respondents have no rights or legitimate interests in the registration and use of the disputed domain names. The Respondents have acted in bad faith in registering and setting up the disputed domain names, when the Respondents clearly knew of the Complainant's rights.

The Complainant's Trademark significantly predates the registration of the disputed domain names. The Complainant is well established, and its Trademark and related products are widely known and recognized worldwide. Therefore, the Respondents were aware of the Complainant's Trademark when registering the disputed domain names or knew or should have known that the disputed domain names were identical to the Trademark.

The Respondents registered the disputed domain names primarily for the purpose of impersonating the Complainant and for the purpose of obtaining credit card and contact information from unsuspecting Internet users. The Respondents thus also use the disputed domain names in bad faith.

B. Respondents

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

6. Discussion and Findings

6.1 Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the disputed domain names are under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that:

- All disputed domain names follow the same naming pattern, consisting of the Complainant's WUSTHOF Trademark combined with an additional term;
- The corresponding websites have an almost identical content and use identical or substantially identical templates;
- All disputed domain names were registered through the same Registrar;
- There are apparent inconsistencies between the registrants' stated contact details, including telephone area codes that do not correspond to the stated locations;
- All disputed domain names were registered within approximately four weeks;
- All five websites the disputed domain names resolve to display the same non-functional contact email address, "[...]@wsthof.com", which also contains a misspelling of the Complainant's WUSTHOF Trademark; and

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.2 Discussion and Findings on the Merits

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 Panel finds the Trademark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the Trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the Trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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.

The Panel finds, based on the evidence on record that:

- the Respondent is not affiliated with the Complainant in any way, and the Complainant has not authorized the Respondent to use its Trademark for any reason or in any manner;
- there is no evidence proving that the Respondent holds any trademark rights corresponding to the disputed domain names, or has been commonly known by the disputed domain names;
- the disputed domain names resolve to websites displaying the Complainant's Trademark and allegedly selling and offering the Complainant's WÜSTHOF products without any prominent and accurate explanation of the relationship (or lack thereof) between the Parties. Such use of the disputed domain names indicates the Respondent's intention to divert Internet traffic to the websites associated with the disputed domain names by confusing the relationship between the websites associated with the disputed domain names and the Complainant, which cannot be deemed as a bona fide offering of goods or services or a legitimate noncommercial or fair use;
- the nature of the disputed domain names, incorporating the Complainant's WUSTHOF Trademark and the terms “premium”, “shop”, “my”, “the” and “online” carries a risk of implied affiliation with the Complainant; and
- no other factors demonstrate any rights or legitimate interests of the Respondent in the disputed domain names.

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 names. 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 names such as those enumerated in the Policy or otherwise.

Panels have held that the use of a domain name for illegitimate activity, here claimed impersonation, passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

In the present case, the Panel notes that the websites to which the disputed domain names resolve, imitated the Complainant's website, as the websites prominently displayed the Complainant's figurative Trademark, copied design elements and images from the Complainant's website, creating a clear impression of being the Complainant's own legitimate website. It is apparent that the Respondent registered and uses the disputed domain names to trade-off the Complainant's goodwill in its Trademark and to confuse consumers into believing that the disputed domain names are affiliated or associated with the Complainant, which is not the case. The Respondent has attempted to take commercial advantage of the Complainant's Trademark and commercial reputation and to trade off the Complainant's goodwill.

Panels have held that the use of a domain name for illegitimate activity, here claimed impersonation, passing off, 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 names constitutes bad faith under the Policy.

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 names <mywusthof.shop>, <thewusthof.shop>, <wusthofonline.shop>, <wusthofpremium.shop>, and <wusthofshop.shop> be transferred to the Complainant.

/Richard C.K. van Oerle/

Richard C.K. van Oerle

Sole Panelist

Date: August 21, 2026.