

ADMINISTRATIVE PANEL DECISION

Deutz AG v. Robin Matius Wijaya, ABG Group
Case No. D2026-3502

1. The Parties

The Complainant is Deutz AG, Germany, represented by Bettinger Scheffelt Partnerschaft mbB, Germany.

The Respondent is Robin Matius Wijaya, ABG Group, Cambodia.

2. The Domain Name and Registrar

The disputed domain name <deutz.fit> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 7, 2026. On August 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 10, 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 (Registrant contacts Privacy Protected) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 11, 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 August 14, 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 August 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 8, 2026.

The Center appointed Taras Kyslyy as the sole panelist in this matter on September 15, 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 headquartered in Germany, and is a manufacturer of innovative drive systems. Founded in 1864, the Complainant is an independent producer of diesel, gas, and electrified engines for a wide range of applications, including construction and agricultural machinery, commercial vehicles, and stationary equipment. The company operates internationally, with a strong presence in key global markets.

The Complainant owns registered trademarks for the DEUTZ name and logo in numerous jurisdictions including for instance German trademark registration No. 616392, registered on February 6, 1952.

The Complainant maintains a comprehensive portfolio of domain names to support its global operations, protect its brand, and serve customers across various regions. The company's principal website, "www.deutz.com", serves as the central hub for corporate communications, product information, investor relations, and global service offerings. Domain names registered or used by the Complainant include <deutz.com>, <deutz.eu>, <deutzusa.com>, <sdeutz.com>, <deutz.cn>, <deutz.com.cn>, <deutzparts.cn>, and <deutz.com.sg>.

The Complainant is also active on major professional and social media platforms such as LinkedIn, YouTube, and X (formerly Twitter), where it shares product updates, corporate news, and technical insights.

The disputed domain name was registered on August 1, 2026 and resolves to an online gambling website branded JACKTOTO.

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 identical to the Complainant's trademark. The disputed domain name consists solely of the Complainant's trademark DEUTZ, reproduced in its entirety, together with the generic Top-Level Domain ("gTLD") ".fit". The applicable gTLD is a standard technical requirement of registration and is disregarded for the purpose of assessing identity or confusing similarity.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not licensed, authorized, or otherwise permitted the Respondent to use its trademark, whether as a domain name or otherwise. There is no evidence that the Respondent is commonly known by the disputed domain name. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name resolves to an unrelated commercial gambling website branded JACKTOTO. Use of the Complainant's exact trademark to divert Internet users to an unrelated commercial website does not constitute a bona fide offering. Nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain name. The website is commercial in nature and is plainly intended to promote gambling services. The use of the Complainant's exact mark as the domain name is misleading as to source or affiliation and is a pretext for diverting Internet traffic for commercial purposes.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant has used its trademark as its business identifier and trade mark for more than one hundred years. The mark is distinctive and well known internationally in connection with engines, machinery, drive systems, and related products and services. Given the distinctiveness and longstanding reputation of the Complainant's mark, and given that the Respondent selected the exact mark without any additional term, the Respondent could not plausibly have been unaware of the Complainant and its trademark rights when registering the disputed domain name. The nature of the domain name itself strongly supports an inference of targeting. That inference is reinforced by the actual use of the disputed domain name. There is no semantic or other apparent connection between the disputed domain name identical to the Complainant's trademark and the gambling services promoted on the website. The only evident function of the disputed domain name is therefore to exploit the attraction and recognition of the Complainant's trademark to obtain Internet traffic. The Respondent is using the disputed domain name to resolve to an unrelated commercial online gambling website. It is affirmative use of an exact-match trademark domain to divert Internet users to third-party commercial content. By registering and using a domain name identical to the Complainant's mark, the Respondent creates an initial likelihood that Internet users will believe the disputed domain name is owned by, affiliated with, sponsored by, or otherwise connected with the Complainant. The Respondent then exploits that confusion by diverting those users to a gambling website promoting account creation, account login, and other gambling-related services. The fact that the gambling website does not imitate the Complainant's own website does not cure the bad faith. The confusion and diversion occur through the disputed domain name itself. Once users are attracted to the disputed domain name because it consists exclusively of the Complainant's mark, their subsequent diversion to unrelated gambling content constitutes precisely the type of abusive attraction and commercial diversion.

B. Respondent

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

6. Discussion and Findings

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 entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The applicable gTLD in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. Thus, the Panel disregards gTLD ".fit" for the purposes of the confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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.

The available evidence does not confirm that the Respondent is commonly known by the disputed domain name, which could demonstrate its rights or legitimate interests (see, e.g., *World Natural Bodybuilding Federation, Inc. v. Daniel Jones, TheDotCafe*, WIPO Case No. [D2008-0642](#)).

The Complainant did not license or otherwise agree for use of its prior registered trademarks by the Respondent, thus no actual or contemplated bona fide or legitimate use of the disputed domain name could be reasonably claimed (see, e.g., *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#)).

Noting the high risk of implied affiliation between the disputed domain name and the identical well-known trademark of the Complainant, the Panel finds that there is no plausible fair use to which the disputed domain name could be put that would not have the effect of being somehow connected to the Complainant (see, e.g., *Instagram, LLC v. Super Privacy Service LTD c/o Dynadot / Zayed*, WIPO Case No. [D2019-2897](#)).

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 Respondent registered disputed domain name identical to the Complainant’s trademark. The mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. The Panel is convinced that the Complainant’s trademark is well established through long and widespread use and the Complainant has acquired a significant reputation and level of goodwill in its trademark both in Germany and internationally. Thus, the Panel finds that the disputed domain name identical to the Complainant’s trademark was registered in bad faith. [WIPO Overview 3.1](#), section 3.1.4.

According to paragraph 4(b)(iv) of the Policy the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith: by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location. In this case, the disputed domain name identical to the Complainant's widely known and distinctive trademark is resolving to a gambling website to intentionally attract Internet users by creating likelihood of confusion with the Complainant's trademark as to the source of the website. The Panel finds the above confirms the disputed domain name was registered and used in bad faith.

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 <deutz.fit> be transferred to the Complainant.

/Taras Kyslyy/

Taras Kyslyy

Sole Panelist

Date: September 29, 2026