

ADMINISTRATIVE PANEL DECISION

Deutz AG v. zheng guan xiong
Case No. D2026-3532

1. The Parties

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

The Respondent is zheng guan xiong, China.

2. The Domain Name and Registrar

The disputed domain name <chuangtiandeutz.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on August 10, 2026. On August 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 11, 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 identity not disclosed in public WHOIS, Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 13, 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 in English on August 13, 2026.

On August 13, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On August 13, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on August 14, 2026. In accordance with the

Rules, paragraph 5, the due date for Response was September 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 8, 2026.

The Center appointed Hong Yang as the sole panelist in this matter on September 10, 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, founded in 1864, is a German company manufacturing innovative drive systems. Operating globally, the Complainant is believed to be one of the world's leading independent producers of diesel, gas, and electrified engines for a wide range of applications, including construction and agricultural machinery, commercial vehicles, and stationary equipment.

The Complainant owns numerous trademark registrations containing the term "Deutz" and/or relevant design, covering multiple jurisdictions, including the following:

- German Trademark Registration No. 616392 for DEUTZ (word), registered on March 15, 1952;
- International Trademark Registration No. 174094 for DEUTZ (word), registered on January 21, 1954;
- International Trademark Registration No. 739507, for  (figurative), registered on March 30, 2000, designating multiple jurisdictions including China.

The Complainant also owns various domain names corresponding to its trademark, including <deutz.com>, registered on April 18, 1996, which resolves to its official corporate website.

The disputed domain name was registered on June 18, 2020. At the time of filing of the Complaint, the disputed domain name resolved to a website in the Chinese language for 创设备 (Hebei Chuangtian Mechanical Equipment Co., Ltd, referred to hereinafter as "Chuangtian company"). The "About us" section of the website displayed the Complainant's DEUTZ word and device mark in prominent size, beside which it claimed that Chuangtian company engages in development, manufacturing and sale of DEUTZ engines and spare parts, covering various model types. Statements in two prominent banners on the website claimed to be "authorized manufacturer" providing "genuine products", using terms of "first-hand source". The website displayed images of engines and auto parts alleged to be the Complainant's DEUTZ-brand products. Moreover, the website did not contain any disclaimer explaining that its operator is independent from and not authorized by the Complainant.

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.

B. Respondent

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

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that: (1) the disputed domain name was registered in Latin characters; (2) the translation of documents into Chinese by the Complainant as a German company would cause additional costs and unnecessary delay in the proceeding.

The Respondent has, moreover, been notified by the Center, in both Chinese and English, of the language of the proceeding and of commencement of the proceeding. The Respondent did not make any submissions with respect to the language of the proceeding, nor did the Respondent file any Response in Chinese or English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues

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

Although the addition of other terms here, "chuangtian", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark 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.

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 Complainant asserts neither Chuangtian company nor the Respondent is or has been an authorized distributor, licensee, business partner with the Complainant. The available record shows that the Respondent is not affiliated or otherwise authorized to use the DEUTZ mark or hold any registration of the mark anywhere. There is no evidence indicating that the Respondent is commonly known by the disputed domain name.

The disputed domain name resolved to a website where the “About us” section displayed prominently the Complainant’s DEUTZ word and device mark, beside which it claimed that Chuangtian company engages in development, manufacturing and sale of various DEUTZ diesel engines and spare parts. There are also statements in prominent banners claiming to be “authorized manufacturer” providing “genuine products”, using terms of “first-hand source”. Moreover, the website did not contain any disclaimer or statement demonstrating that the operator is not affiliated with or authorized by the Complainant. The Panel opines that such use of the disputed domain name gives a misleading impression that it resolves to a website affiliated with or authorized by the Complainant, trading off the Complainant’s DEUTZ mark. Thus, the Respondent’s use of the disputed domain name cannot constitute any bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain name. [WIPO Overview 3.1](#), section 2.8.

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 Complainant’s trademark DEUTZ is widely known in its industry globally, and the Complainant’s registration and use of its mark predate the Respondent’s registration of the disputed domain name by many years. The website at the disputed domain name purportedly offers for sale the Complainant’s products. Thus, the Panel considers that the Respondent knew of the Complainant’s mark at the time of registering the disputed domain name. The Panel is convinced that those signal the Respondent’s intention to target the Complainant and capitalize on its famous mark.

Further, considering the use of the disputed domain name analyzed in Section 6.2B above, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website. The disputed domain name was thus registered and is being used in bad faith, according to paragraph 4(b)(iv) of 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 name <chuangtiandeutz.com> be transferred to the Complainant.

/Hong Yang/

Hong Yang

Sole Panelist

Date: September 23, 2026