

ADMINISTRATIVE PANEL DECISION

Phoenix Contact GmbH & Co. KG v. Evgeniy Momaev
Case No. D2026-3556

1. The Parties

The Complainant is Phoenix Contact GmbH & Co. KG, Germany, represented by Taylor Wessing Partnerschaftsgesellschaft mbB, Germany.

The Respondent is Evgeniy Momaev, Germany.

2. The Domain Name and Registrar

The disputed domain name <phoenixcontact.live> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 11, 2026. On August 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 13, 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 August 14, 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 amendment to the Complaint on August 14, 2026.

The Center verified that the Complaint together with the amendment to 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 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 10, 2026.

The Center appointed Christian Schalk as the sole panelist in this matter on September 16, 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. The language of the proceeding is English.

4. Factual Background

The Complainant is a German company with a history of more than 90 years and is one of the worldwide market leaders of components, systems and solutions in the area of electrical engineering, electronics and automation. In 2024, the Complainant's total annual sales were ranging at EUR 3.4 billion. The Complainant employs more than 21,000 people worldwide and its products and services are available in more than 100 countries through a network of subsidiaries and distribution partners.

The Complainant owns more than 170 trademark rights in the word combination PHOENIX CONTACT, among others:

- PHOENIX CONTACT, International Registration Nr. 511123 with registration date of May 8, 1987, covering goods in International class 9;
- PHOENIX CONTACT, International Registration Nr. 677440 with registration date of June 7, 1997, covering goods in International class 9;
- PHOENIX CONTACT, International Registration Nr. 915274, with registration date of December 15, 2006, covering goods in International classes 8 and 9; and
- PHOENIX CONTACT, International Registration Nr. 1125906, with registration date of October 28, 2011, covering goods and services in International classes 3, 6, 7, 8, 9, 16, 17, 36, 37, 38, 39, 41, and 42.

The Complainant owns also domain names featuring the word combination PHOENIX CONTACT among them the domain name <phoenixcontact.com>.

The Respondent registered the disputed domain name on August 8, 2026. According to the material brought by the Complainant before the Panel, the disputed domain name resolves to website which not only features prominently the Complainant's trademarks but appears to be very similar to the Complainant's website as far as branding elements, its positioning on this website and the goods and services offered there are concerned.

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 asserts that the disputed domain name is confusingly similar if not nearly identical to the Complainant's trademark rights in the word combination "phoenix contact". In this context, the Complainant argues that the disputed domain name was deliberately chosen to create confusion with the Complainant's company name by adding the sign "-live" to the Complainant's identical domain name <phoenixcontact.com>.

The Complainant asserts also the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant believes in this context that the high degree of market recognition of the Complainant's trademark alone suggests that the registration of the disputed domain name, which is nearly identical to the Complainant's PHOENIX CONTACT - trademarks, is not a coincidence but was carried out in awareness of the Complainant's well-known trademarks in order to link it with a fake website and with the purpose to mislead Internet users.

The Complainant asserts furthermore, that the disputed domain name was registered and is being used in bad faith. The Complainant argues that, when registering the disputed domain name the Respondent, was aware of the Complainant and its trademarks and that the high similarities with the Complainant's trademarks were deliberately chosen to cause confusion with the Complainant's domain name <phoenixcontact.com>. The Complainant is convinced that the main reason for this behavior was to use a fake website with the Complainant's trademarks with the intention to mislead Internet users by publishing a copy of the Complainant's website. In this context, the Complainant refers to *Phoenix Contact GmbH & Co. KG v. Lanette Doll, ICP Group*, WIPO Case No. [D2025-0523](#) in order to support his arguments.

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 (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.).

The Panel finds that the Complainant has established trademark rights in PHOENIX CONTACT and that the entirety of this trademark is reproduced within the disputed domain name (see [WIPO Overview 3.1](#), section 1.2.1).

Furthermore, the generic Top-Level Domain ("gTLD") ".live" in the disputed domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test (see [WIPO Overview 3.1](#), section 1.11.1).

Accordingly, the disputed domain name is confusingly similar to the Complainant's PHOENIX CONTACT trademarks for the purposes of the Policy (see [WIPO Overview 3.1](#), section 1.7).

For all these reasons, the Panel finds that the first element is established under paragraph 4(a) of the Policy.

B. Rights or Legitimate Interests

Based on the submissions and materials filed in this case, the Panel finds that the Respondent does not have rights or legitimate interests in the disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, UDRP panels have recognized that proving 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 (see [WIPO Overview 3.1](#), section 2.1).

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in the disputed domain name.

However, the Respondent has not provided any evidence of circumstances specified in paragraph 4(c) of the Policy or of any other circumstances giving rise to rights or legitimate interests in the disputed domain name. Specifically, the Panel finds no evidence that the Respondent has been or is commonly known by the disputed domain name. The Respondent is neither affiliated with the Complainant nor has a license to use its trademark. The Respondent has also not rebutted the Complainant's allegations and has not provided the Panel with any explanations as to the Respondent's rights or legitimate interests.

In this case, the Respondent used the disputed domain name to connect it with a website which features the Complainant's trademarks, pretends to offer the Complainant's products and which appearance is almost identical to the Complainant's official website. Hence, Internet users arriving at the website to which the disputed domain name resolves could believe that they are browsing through the Complainant's website while this is not the case. Such behavior cannot constitute a bona fide sale of goods or services, nor a legitimate noncommercial or fair use of the disputed domain name.

Therefore, the Panel is convinced that the only reason for the Respondent to register the disputed domain name was, on balance, to capitalize on the Complainant's goodwill by redirecting Internet traffic intended for the Complainant away from it to the disputed domain name. Such behavior cannot constitute a bona fide or legitimate use of the disputed domain name (see also *Bright Imperial Ltd. v. Cleiton da Silva Pardim*, WIPO Case No. [D2013-1548](#); *Carrefour SA v. Pedro Castro*; *Luis Villanueva*; *Lorenzo Lara*; *Samuel Naranjo*; *Alberto Caceres*; *Antonio Alvarez*; *Pablo Silva*; *Enrique Revuelta*; *Miguel Farias*; *Alejandro Villalba*; *Nicolas Ferreyra*; *Julio Rivas*; *Marcos Villanueva*; *Eugenio Cabrera*, WIPO Case No. [D2024-4736](#) and more general [WIPO Overview 3.1](#), sections 2.5.1 and 2.13).

For all these reasons, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Complainant contends that the Respondent registered and is using the disputed domain name in bad faith. The Policy, paragraph 4(b) sets forth four non-exclusive circumstances, which evidence bad faith registration and use of domain names:

(i) circumstances indicating that the respondent has registered or has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is owner of the trademark or service mark or to a competitor of the complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name;

(ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct;

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted 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 the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location.

According to the materials brought before the Panel, the Panel finds that the disputed domain name has been registered and is being used by the Respondent in bad faith.

The Panel finds that the Respondent must have been aware of the Complainant's trademark and its services when he registered the disputed domain name. A simple search on an Internet search engine reveals many references to the Complainant, which would have made the Respondent immediately aware of the Complainant.

In addition, given the fact that the Respondent connected the disputed domain name with a website which among others features the Complainant's PHOENIX CONTACT trademark in a prominent manner, it appears more likely than not that the Respondent was aware of the Complainant's brands at the time of registration of the disputed domain name.

The Respondent's behavior constitutes also use of the disputed domain name in bad faith.

The disputed domain name resolves to a website which looks like the Complainant's official website. It features not only the Complainant's PHOENIX CONTACT trademark in a prominent manner but pretends also to be the Complainant and offer for sale the Complainant's products. This constitutes fraudulent behavior since Internet users arriving on this website would easily believe that they have reached the Complainant's website while this is not the case.

Therefore, the Panel concludes that the Respondent's primary motive in relation to the registration and use of the disputed domain name was to capitalize on, or otherwise take advantage of, the Complainant's trademark rights, by creating a likelihood of confusion with the Complainant's mark with the intent to unlawfully profit therefrom (see also [WIPO Overview 3.1](#), section 3.1.4 and there especially, *First ScotRail Limited v. Mark Thomson*, WIPO Case No. [D2013-1623](#); *Swarovski Aktiengesellschaft v. WhoisGuard Protected / Peter D. Person*, WIPO Case No. [D2014-1447](#); *Booking.com BV v. Chen Guo Long*, WIPO Case No. [D2017-0311](#)).

The Complainant's PHOENIX CONTACT trademark can be considered as a widely-known trademark in its area of business (*Phoenix Contact GmbH & Co. KG v. Lanette Doll, ICP Group*, WIPO Case No. [D2025-0523](#)) also given its strong presence in the Internet. Furthermore, the Respondent has failed to take part in the present proceedings.

Accordingly, in light of the circumstances, the Panel finds that the Respondent has been engaged in the bad faith registration and use of the disputed domain name and therewith the establishment also of 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 <phoenixcontact.live> be transferred to the Complainant.

/Christian Schalk/

Christian Schalk

Sole Panelist

Date: October 3, 2026