

ADMINISTRATIVE PANEL DECISION

Lincoln Global, Inc., The Lincoln Electric Company v. Jessica Morgan
Case No. D2026-3623

1. The Parties

The Complainants are Lincoln Global, Inc., United States of America (“U.S.” or “United States”) and The Lincoln Electric Company, U.S., represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Jessica Morgan, U.S.

2. The Domain Name and Registrar

The disputed domain name <lincolnelectric.com> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 13, 2026. On August 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 sent an email communication to the Complainants on August 17, 2026, providing the additional registrant and contact information disclosed by the Registrar.

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 August 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 20, 2026.

The Center appointed Phillip V. Marano as the sole panelist in this matter on September 25, 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 Complainants, Lincoln Global, Inc. and The Lincoln Electric Company, are sister companies owned by Lincoln Electric Holdings Inc. (collectively the “Complainant”). The Complainant is a manufacturer of arc welding products, robotic arc welding systems, and brazing and soldering alloys, headquartered in Cleveland, Ohio. The Complainant operates approximately 71 manufacturing and automation system integration facilities across 21 countries and maintains a worldwide network of distributors and sales offices serving customers in over 160 countries. The Complainant offers information about its products on its official <lincolnelectric.com> website.

The Complainant owns valid and subsisting registrations for the LINCOLN ELECTRIC trademark in numerous countries and regions, including in the United States with Registration No. 2350082, registered on May 16, 2000 with the earliest priority dating back to January 1, 1915.

The Respondent registered the disputed domain name on July 28, 2026. At the time of this Complaint, the disputed domain name resolved to a parking website with pay-per-click ads with links labeled “Business and Finance”, “Video Gaming”, “Music and Audio”, “Book and Literature”, “Family and Relationships”, “Style & Fashion”, “Real Estate”, “Technology & Computing”, and “Movies”.

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 ownership of the LINCOLN ELECTRIC trademark and has adduced evidence of trademark registration in the United States, dated back to May 16, 2000, with the earliest priority dating back to January 1, 1915. The disputed domain name is confusingly similar to the Complainant’s LINCOLN ELECTRIC trademark, according to the Complainant, because it is a purposeful misspelling of that trademark that varies by one letter—Respondent has substituted the letter “L” with the number “1” in the term “ELECTRIC”.

The Complainant further asserts that the Respondent lacks any rights or legitimate interests in the disputed domain name based on: the significant length of time that the disputed domain name is predated by the Complainant’s trademark rights; the lack of any relationship with the Complainant; the lack of any license, permission, or authorization from the Complainant; the lack of any evidence that the Respondent, who is identified as “Jessica Morgan”, is known by the disputed domain name; the Respondent’s use of the disputed domain name to resolve to a pay-per-click parking website; and the configuration of the disputed domain name with MX records, which strongly implies it could be used as part of an email phishing scheme in the future.

The Complainant argues that the Respondent has registered and used the disputed domain name in bad faith for numerous reasons, including: the longstanding nature and global renown of the Complainant’s LINCOLN ELECTRIC trademark; the Respondent’s intentional targeting of the Complainant to mimic the Complainant’s official website <lincolnelectric.com> with a typographical variation; the Respondent’s use of the disputed domain name in connection with a pay-per-click parking website; the Respondent’s likely use of the disputed domain name in connection with illegal email phishing activity, based upon its configuration with MX records to send and receive emails; the Respondent’s registration of domain names that target third-party trademark owners, such as <airforceairguns.com> which targets Nike Innovate CV’s AIR FORCE trademark, <sekkei.com.au> which targets JNA Technology Company Limited’s SEKKI trademark, and other domain names.

B. Respondent

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

6. Discussion and Findings

To succeed in its Complaint, the Complainant must establish in accordance with paragraph 4(a) of the Policy:

- i. the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights;
- ii. the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- iii. the disputed domain name has been registered and is being used in bad faith.

Although the Respondent did not reply to the Complainant's contentions, the burden remains with the Complainant to establish by a balance of probabilities, or a preponderance of the evidence, all three elements of paragraph 4(a) of the Policy. WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.3 ("A respondent's default ... would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are accurate ... panels have been prepared to draw certain inferences in light of the particular facts and circumstances of the case e.g., where a particular conclusion is prima facie obvious, where an explanation by the respondent is called for but is not forthcoming, or where no other plausible conclusion is apparent."); *The Vanguard Group, Inc. v. Lorna Kang*, WIPO Case No. [D2002-1064](#) ("The Respondent's default does not automatically result in a decision in favor of the complainant. The Complainant must still prove each of the three elements required by Policy paragraph 4(a)").

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. Ownership of a nationally or regionally registered trademark serves as prima facie evidence that the Complainant has trademark rights for the purposes of standing to file this Complaint. [WIPO Overview 3.1](#), section 1.2.1. The Complainant submitted evidence that the LINCOLN ELECTRIC trademark has been registered in numerous countries, including in the United States, as May 16, 2000 with the earliest priority dating back to January 1, 1915, over a century before the disputed domain name was registered by the Respondent. Thus, the Panel finds that the Complainant's rights in the LINCOLN ELECTRIC trademark have been established pursuant to the first element of the Policy.

The only remaining question under the first element of the Policy is whether the disputed domain name is identical or confusingly similar to the Complainant's LINCOLN ELECTRIC trademark. In this case, the disputed domain name is confusingly similar to the Complainant's LINCOLN ELECTRIC trademark because, disregarding the generic Top-Level Domain ("gTLD"), the mark is recognizable within the disputed domain name. [WIPO Overview 3.1](#), section 1.7. ("This test typically involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the domain name ... [I]n cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar [...]"). gTLDs, such as ".com" in the disputed domain name, are generally viewed as a standard registration requirement and are disregarded under the first element. [WIPO Overview 3.1](#), section 1.11.

Furthermore, it is well established that domain names which consist of common, obvious or intentional misspellings of trademarks are considered to be confusingly similar for the purposes of the first element of the Policy. [WIPO Overview 3.1](#), section 1.9 (“Examples of such typos include (i) adjacent keyboard letters, (ii) substitution of similar-appearing characters ... (iii) the use of different letters that appear similar in different fonts, (iv) the use of non-Latin internationalized or accented characters, (v) the inversion of letters and numbers, or (vi) the addition or interspersing of other terms or numbers”). See e.g. *Edmunds.com, Inc. v. Digi Real Estate Foundation*, WIPO Case No. [D2006-1043](#) (“This is clearly a ‘typosquatting’ case where the disputed domain name is a slight misspelling of a registered trademark to divert internet traffic ... In fact, the domain name comprises the Complainant’s trademark ... with a single misspelling of an element of the mark: a double consonant ‘s’ at the end.”)

Accordingly, 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 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. Where, as in this case, the Respondent fails to come forward with any relevant evidence, the Complainant is deemed to have satisfied the second element of the Policy. [WIPO Overview 3.1](#), section 2.1.

It is evident that the Respondent, identified by registration data for the disputed domain name as “Jessica Morgan”, is not commonly known by the disputed domain name or the Complainant’s LINCOLN ELECTRIC trademark.

Service of pay-per-click advertisements through the disputed domain name attempts to trade off the goodwill of the Complainant and accordingly cannot constitute any bona fide offering of goods or services using the disputed domain name. [WIPO Overview 3.1](#), section 2.9 (Unless “genuinely related to the dictionary meaning” of the disputed domain, “[pay-per-click] links do not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of Complainant’s mark or otherwise mislead Internet users.”)

UDRP panels have categorically held that use of a domain name for illegal activity—including phishing or the impersonation of the Complainant and other types of fraud—can never confer rights or legitimate interests on a respondent. Circumstantial evidence can support a credible claim made by the Complainant asserting the Respondent is engaged in such illegal activity, including that the Respondent has masked its identity to avoid being contactable, that the disputed domain name is a purposeful typographical variant of the Complainant’s trademark, that the disputed domain name has been configured with MX records, or that the Respondent’s website has been suspended by its hosting provider. [WIPO Overview 3.1](#), section 2.13. See e.g. *Graybar Services Inc. v. Graybar Elec, Grayberinc Lawrence*, WIPO Case No. [D2009-1017](#) (“Respondent has used the domain name to pretend that it is the Complainant and in particular to create false emails pretending that they are genuine emails coming from the Complainant and one of its senior executives”); *Alain Affielou*

Franchiseur v. Lihongbo, Lihongbo, WIPO Case No. [D2020-2075](#) (“[C]omplainant also provides evidence that the mail exchanger (MX) records for the disputed domain names indicate that the Respondent has connected the disputed domain names to email servers, which creates a serious risk that the Respondent may be using the disputed domain names, which are confusingly similar to the Complainant’s trademark, for misrepresentations and/or phishing and spamming activities”). Here, the Panel concurs that the disputed domain name represents a quintessential example of an intentional typographical variation of the Complainant’s trademark, based on the substitution of the letter “L” for the number “1” in the term “ELECTRIC”. The Panel also concurs that the composition of the disputed domain name, coupled with the presence of MX records creates a serious risk that the Respondent may be using the disputed domain name for illegal activity.

Accordingly, 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 proscribes the following non-exhaustive circumstances as evidence of bad faith registration and use of the disputed domain name:

- i. Circumstances indicating that the Respondent has registered or the Respondent has acquired the disputed domain name primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the Complainant who is the owner of the trademark to a competitor of that Complainant, for valuable consideration in excess of the Respondent’s documented out of pocket costs directly related to the disputed domain name; or
- ii. the Respondent has registered the disputed domain name in order to prevent the owner of the trademark from reflecting the mark in a corresponding domain name, provided that the Respondent has engaged in a pattern of such conduct; or
- iii. the Respondent has registered the disputed domain name primarily for the purpose of disrupting the business of a competitor; or
- iv. by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent’s 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 the Respondent’s website or location or of a product or service on the Respondent’s website or location.

The act of “typosquatting” or registering a domain name that is a common misspelling of a mark in which a party has rights has often been recognized as evidence of bad faith registration *per se*. [WIPO Overview 3.1](#), section 3.2.1 (“Particular circumstances UDRP panels take into account in assessing whether the respondent’s registration of a domain name is in bad faith include: (i) the nature of the domain name (e.g., a typo of a widely known mark ...”). See also *Paragon Gifts, Inc. v. Domain.Contact*, WIPO Case No. [D2004 0107](#) (citing *National Association of Professional Baseball Leagues, d/b/a Minor League Baseball v. Zuccarini*, WIPO Case No. [D2002-1011](#)); *ESPN, Inc. v. XC2*, WIPO Case No. [D2005-0444](#) (finding that the practice of “typosquatting”, of itself, is evidence of the bad faith registration of a domain name). The Panel concurs with this approach. It is evident that the Respondent registered and used the typosquatted disputed domain name to intentionally attract, for commercial gain, Internet users to the website linked to disputed domain name in a manner that confuses and misleads Internet users. Thus, the Panel infers the Respondent’s bad faith based on the fact that the Respondent is trying to impersonate the Complainant or gain an illegal profit from mistakes such as typographical errors made by Internet users, when they read or input the expression “Lincoln E1ectric” instead of “Lincoln Electric” in a web browser or email address.

Third-party generated material, such as parking websites with pay-per-click links, cannot be disclaimed by Respondent to prevent a finding of bad faith. [WIPO Overview 3.1](#), section 3.5 (“A respondent cannot disclaim responsibility for content appearing on the website associated with its domain name” regardless of whether “such links [are] generated by a third party such as a registrar or auction platform (or their affiliate), nor the fact that respondent itself may not have directly profited....”). See *SAP SE v. Domains by Proxy, LLC / Kamal Karmakar*, WIPO Case No. [D2016-2497](#) (“It is well established that where a domain name is used to generate revenue in respect of ‘click through’ traffic, and that traffic has been attracted because of the name’s association with the Complainant, such use amounts to use in bad faith ... Revenue will be generated by such visitors clicking on the provided links and it does not matter whether that revenue accrues to the Respondents or the operator of the parking site”) (internal citations omitted).

Finally, the Panel considers configuration of an email server on the disputed domain name as additional evidence that the disputed domain name has been registered and use in bad faith. The disputed domain name contains in its entirety Complainant’s LINCOLN ELECTRIC trademark, and the record is devoid of any evidence to suggest that Respondent has any legitimate interest in sending emails from the disputed domain name. Conversely, Complainant has made a plausible argument that Respondent’s proactive configuration of an email server, creates a risk that Respondent is engaged in a phishing scheme, thereby using an email address associated with Complainant to try to steal valuable sensitive, financial or other confidential information from Complainant’s clients or employees. Prior WIPO panel determinations have recognized the same risk, and considered it as additional evidence of bad faith. See e.g. *Accor SA v. Domain Admin, C/O ID#10760, Privacy Protection Service INC d/b/a PrivacyProtect.org / Yogesh Bhardwaj*, WIPO Case No. [D2017-1225](#); *Carrefour S.A. v. WhoisGuard, Inc / Gaudet Jose*, Case No. [DCO2018-0041](#) (“The Panel concurs with the Complainant that the connection of the disputed domain name with an email server configuration enhances a likelihood of confusion and presents a risk that the Respondent is engaged in a phishing scheme.”)

Accordingly, the Panel finds the third element of the Policy has been established.

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 <lincolne1ectric.com> be transferred to the Complainant.

/Phillip V. Marano/

Phillip V. Marano

Sole Panelist

Date: October 13, 2026