

ADMINISTRATIVE PANEL DECISION

Wagner Spray Tech Corporation v. 旦唐春 (dantangchun)
Case No. D2026-3635

1. The Parties

The Complainant is Wagner Spray Tech Corporation, United States of America ("United States"), represented by Faegre Drinker Biddle & Reath, United States.

The Respondent is 旦唐春 (dantangchun), China.

2. The Domain Name and Registrar

The disputed domain name <wagner-show.com> is registered with Bangning Digital Technology Co. Ltd (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 August 20, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 25, 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 30, 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 31, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 20, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 21, 2026.

The Center appointed Gökhan Gökçe as the sole panelist in this matter on September 28, 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, Wagner Spray Tech Corporation, is a United States company forming part of the Wagner Group, which operates internationally in the field of surface-coating and paint-application technologies, including paint sprayers, applicators, and related equipment. The Wagner business traces its history to 1947.

J. Wagner GmbH, another company within the Wagner Group, owns trademark registrations for the WAGNER mark. The record indicates that the Complainant and J. Wagner GmbH are affiliated companies within the same corporate group and that the Complainant is authorized to rely on the WAGNER trademark rights for the purposes of this proceeding. In particular, the Complaint refers to United States Trademark Registration No. 1,244,083 for WAGNER, registered on July 5, 1983, following an application filed on November 16, 1981.

The Complainant operates an official website at the domain name <wagnerspraytech.com>, through which it provides information concerning its products.

The disputed domain name <wagner-show.com> was registered on April 25, 2026.

According to the evidence submitted by the Complainant, the disputed domain name has been used for a website prominently displaying the WAGNER mark and presenting paint-spraying products of the type offered by the Complainant.

As of the date of this Decision, the disputed domain name still resolves to the e-commerce website displaying the WAGNER mark, presenting itself as the “Wagner Official Store”, and offering purported WAGNER products for sale, including paint sprayers, accessories, and related equipment.

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 confusingly similar to the Complainant’s trademark;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name was registered and is being used in bad faith.

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.

Here, while the WAGNER mark is owned by the Complainant's affiliate J. Wagner GmbH, the Complainant has provided evidence that it is an affiliate of J. Wagner GmbH within the broader Wagner Group of companies and asserts to have the necessary authorization to use and enforce rights in the WAGNER trademark.

To be sure, a trademark owner's affiliate such as a subsidiary of a parent or of a holding company, or an exclusive trademark licensee, is considered to have rights in a trademark under the UDRP for purposes of standing to file a complaint. WIPO Overview, section 1.4. Thus, for purposes of the first element, the Complainant has shown rights in respect of the WAGNER trademark for purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the mark is reproduced 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, "-show", 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 generic Top-Level Domain ("gTLD") ".com" is a standard registration requirement and does not prevent the disputed domain name from being confusingly similar to the trademark. [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.

On the contrary, it results from the evidence on record that the Complainant's WAGNER trademark registration predates the registration of the disputed domain name. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use the WAGNER trademark or to register the disputed domain name incorporating this trademark.

There is also no evidence to suggest that the Respondent has been commonly known by the disputed domain name. The Respondent appears to be in no way associated with the Complainant, as the Complainant has not licensed, approved or in any way consented to the Respondent's registration and use of the trademark in the disputed domain name. The Panel finds in the circumstances of this case that the Respondent's failure to reply to the Complaint further supports the conclusion that the Respondent has no rights or legitimate interests in the disputed domain name and that the disputed domain name was registered and is being used in bad faith. See *The Argento Wine Company Limited v. Argento Beijing Trading Company*, WIPO Case No. [D2009-0610](#); *Bayerische Motoren Werke AG v. (This Domain is For Sale) Joshuathan Investments, Inc.*, WIPO Case No. [D2002-0787](#).

The evidence on record shows that the disputed domain name resolves to a website prominently displaying the WAGNER trademark and logo and offering products bearing the WAGNER mark, including paint sprayers, accessories, and related products of the same type as those offered through the Complainant's official website at <wagnerspraytech.com>. The website under the disputed domain name also presents itself as a "Wagner Official Store".

Panels have recognized that resellers or distributors may, in limited circumstances, establish rights or legitimate interests where their use satisfies the criteria set out in the so-called "Oki Data test" (see *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#); [WIPO Overview 3.1](#), section 2.8). However, the Respondent's use does not satisfy those criteria. In particular, the website does not accurately and prominently disclose the Respondent's lack of relationship with the Complainant. On the contrary, the use of the WAGNER mark throughout the website, together with the description "Wagner Official Store", creates the impression that the website is operated by, authorized by, or otherwise affiliated with the Complainant.

The Panel further notes that the disputed domain name incorporates the Complainant's WAGNER trademark in its entirety and carries a risk of implied affiliation (see [WIPO Overview 3.1](#), section 2.5.1). Moreover, the content and presentation of the associated website shows an intent to falsely suggest affiliation with the Complainant.

While the record does not establish whether the products offered through the website are counterfeit, genuine products offered without authorization, or whether orders would ultimately be fulfilled, it is sufficient to show that the Respondent is using the disputed domain name in a manner that impersonates or suggests an official connection with the Complainant.

Accordingly, the Panel finds that the Respondent's conduct does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name. The Respondent, who has not submitted a Response, has not rebutted the Complainant's prima facie case.

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 must have been aware of the Complainant and the WAGNER trademark at the time of registration of the disputed domain name. The Complainant's trademark rights substantially predate the registration of the disputed domain name, and the content of the website to which the disputed domain name resolves removes any doubt as to the Respondent's knowledge of the Complainant and its trademark.

The website prominently displays the WAGNER name and logo, offers products bearing the WAGNER mark, and presents itself as a "Wagner Official Store". The Panel therefore finds that the Respondent deliberately targeted the Complainant and its trademark when registering the disputed domain name.

The Respondent appears to have registered and used the disputed domain name to attract Internet users to its website by creating the impression that the website is operated by, authorized by, or otherwise affiliated with the Complainant. The disputed domain name incorporates the Complainant's WAGNER trademark in its entirety, and the associated website reinforces that impression through its use of the WAGNER mark and its presentation as an official store.

Accordingly, by using the disputed domain name, 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 WAGNER mark as to the source, sponsorship, affiliation, or endorsement of the website and the products offered there, within the meaning of paragraph 4(b)(iv) of the Policy.

The Panel further notes that the Respondent has not submitted a Response and has therefore provided no explanation for its registration and use of the disputed domain name. In the circumstances of this case, this further supports the Panel's finding of bad faith.

The Panel further notes that the record contains evidence that the Respondent has been the subject of multiple prior UDRP proceedings involving third-party trademarks. These include, inter alia, *Dansko, LLC v. 旦唐春 (Dan Tangchun)*, WIPO Case No. [D2026-0957](#); *Penn Fishing Tackle Manufacturing Co. v. 旦唐春 (dan tangchun)*, WIPO Case No. [D2026-1280](#); and *LEGO Holding A/S v. 旦唐春*, WIPO Case No. [D2026-0779](#).

In those cases, panels found that the Respondent had registered and used domain names in bad faith, in a number of instances through websites impersonating or otherwise targeting the relevant trademark owner. The Panel considers that these prior cases are relevant to the assessment under paragraph 4(b)(ii) of the Policy and support a finding that the Respondent has engaged in a pattern of abusive domain name registrations. See [WIPO Overview 3.1](#), section 3.1.2.

While the circumstances of the present case are independently sufficient to establish bad faith under paragraph 4(b)(iv) of the Policy, the Respondent's prior conduct provides additional support for the conclusion that the disputed domain name forms part of a broader pattern of bad faith registration and use.

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 <wagner-show.com> be transferred to the Complainant.

/Gökhan Gökçe/

Gökhan Gökçe

Sole Panelist

Date: October 12, 2026