

ADMINISTRATIVE PANEL DECISION

Liebherr-International AG v. he jxing

Case No. D2026-3971

1. The Parties

The Complainant is Liebherr-International AG, Switzerland, represented by Bettinger Rechtsanwälte Partnerschaft mbB, Germany.

The Respondent is he jxing, China.

2. The Domain Name and Registrar

The disputed domain name <liebherrequipment.com> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 4, 2026. On September 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 4, 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 / Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 7, 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 September 8, 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 September 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 6, 2026.

The Center appointed Gonalo M. C. Da Cunha Ferreira as the sole panelist in this matter on October 7, 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, Liebherr-International AG, is a Swiss company headquartered in Bulle, Switzerland. It is the parent company of the Liebherr Group, founded in 1949 by Hans Liebherr, which is active in the manufacture and supply of construction and heavy machinery, including earthmoving machinery, mining equipment, tower, mobile, crawler and maritime cranes, concrete technology and components, as well as in other business sectors. According to the Complainant's official website, the Liebherr Group comprises over 150 companies in more than 50 countries on every continent and has more than 50,000 employees.

The Complainant has been using the mark "LIEBHERR" ("LIEBHERR Trade Mark") as its company name and as the business identifier of the Liebherr Group. The Complainant is the owner of, inter alia, the following trademark registrations for the LIEBHERR Trade Mark:

- International Registration No. 860617 for LIEBHERR (word mark), registered on April 26, 2005, in Classes 7, 9, 11 and 12;
- International Registration No. 1276186 for LIEBHERR (figurative mark), registered on February 24, 2015, in Classes 1, 4, 7, 8, 9, 11, 12, 14, 16, 18, 21, 24, 25, 26, 28 and 34, designating, inter alia, China; and
- International Registration No. 1382828 for LIEBHERR (word mark), registered on July 25, 2017, in Classes 35, 36, 37, 38, 39, 41, 42, 43, 44 and 45, designating, inter alia, China.

The Liebherr Group operates its principal website at the domain name <liebherr.com>, registered on March 5, 1996, by the group company Liebherr-International Deutschland GmbH.

The disputed domain name was registered on August 14, 2026. According to the Registrar, the Respondent is he jxing, located in China. No further information is available about the Respondent.

At the time of filing of the Complaint, the disputed domain name resolved to a website displaying the LIEBHERR Trade Mark in stylized form in its header, together with the words "HEAVY ENGINEERING · SINCE 1949", under the heading "Liebherr Crane Fleets – Engineered for High-Rise and Heavy Lift Sites". The website describes tower, crawler and mobile cranes, excavators and loaders, claims more than 12,000 units shipped yearly, support in 130 countries and a production footprint of 580,000 m², and offers specification sheets, boom load charts and emissions documentation. It invites visitors to "Send Specs to the Liebherr Field Team" and to request a quote through a form collecting their name, company, email address, country or site, equipment class, fleet size and technical requirements. The website indicates the telephone number +41 [...] for "24/7 field dispatch" and bears the notice "© 2026 Liebherr · Building Tomorrow's Worksites".

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:

1. The disputed domain name was registered on August 14, 2026, long after the Complainant established its rights in the LIEBHERR Trade Mark, and resolves to an active website that prominently uses the name LIEBHERR and presents itself as an official heavy-equipment and crane business, offering purported Liebherr specification sheets, boom load charts, engineering requests, quote requests, field services and rental-related enquiries.
2. The website identifies its supposed operator as “Liebherr Heavy Equipment AG · Bulle, Switzerland”. Searches of Swiss commercial-register sources did not disclose any company registered under that name, whereas genuine Liebherr companies are registered in Bulle, Switzerland.
3. The disputed domain name incorporates the LIEBHERR Trade Mark in its entirety, followed only by the descriptive term “equipment”, which is closely related to the Complainant’s principal fields of business. The generic Top-Level Domain “.com” is disregarded for the purposes of the first element.
4. The Complainant has not licensed, authorized or otherwise permitted the Respondent to use the LIEBHERR Trade Mark, and there is no evidence that the Respondent has been commonly known by the disputed domain name.
5. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor making a legitimate noncommercial or fair use of it, since the website impersonates the Complainant in the same commercial field and solicits quote requests, engineering requests, technical requirements, fleet-size information and contact details from visitors.
6. At the time of registration, the Respondent knew of and specifically targeted the Complainant, selecting not only the LIEBHERR Trade Mark and the Complainant’s field of business, but also the genuine geographic location of Liebherr group companies.
7. The disputed domain name is being used in bad faith under paragraph 4(b)(iv) of the Policy, as the Respondent intentionally attempts to attract Internet users by creating a likelihood of confusion with the LIEBHERR Trade Mark as to the source, sponsorship, affiliation or endorsement of the website. The use of an apparently fictitious corporate identity is compelling evidence of an intentional impersonation scheme.
8. The Respondent’s conduct creates a substantial risk of fraud, phishing or other misuse, as visitors are invited to provide their details and technical requirements through forms presented as communications with the “Liebherr Field Team”.
9. The initial shielding of the registrant’s identity by a privacy service, combined with the deliberate impersonation of the Complainant, reinforces the inference of 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 for the purposes of the Policy, namely the LIEBHERR Trade Mark. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the LIEBHERR Trade Mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the LIEBHERR Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here “equipment”, 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 LIEBHERR Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The generic Top-Level Domain “.com” is a standard registration requirement and is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the Panel finds that 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 Complainant has not licensed or otherwise authorized the Respondent to use the LIEBHERR Trade Mark or to register a domain name incorporating it. Nothing in the record suggests that the Respondent, identified by the Registrar as he jxing, has been commonly known by the disputed domain name or by any name corresponding to it.

The website to which the disputed domain name resolved presents itself as the Complainant’s own official presence. It displays the LIEBHERR Trade Mark in its header, refers to the year 1949, in which the Liebherr Group was founded, purports to offer Liebherr cranes and earthmoving equipment with the related technical documentation, and invites visitors to submit their business and technical data to the “Liebherr Field Team”. It further indicates a Swiss telephone number with the same area code as the Complainant’s own telephone number in Bulle, Switzerland and bears a copyright notice in the name of Liebherr. Nothing on the website discloses the absence of any relationship between the Respondent and the Complainant. The Complainant also submits that the website identifies its operator as “Liebherr Heavy Equipment AG · Bulle, Switzerland”, a company name that returned no result in the Swiss trade registry search in the record. Although that designation is not visible in the printouts of the website provided, the elements that are visible are sufficient for the Panel’s findings.

Such use cannot qualify as a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy, nor as a legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy. The composition of the disputed domain name, which combines the LIEBHERR Trade Mark with a term describing the Complainant's core business, carries a risk of implied affiliation that cannot constitute fair use.

[WIPO Overview 3.1](#), section 2.5.1. Panels have held that the use of a domain name for illegitimate activity, here impersonation and passing off, and the collection of personal and business information from Internet users under false pretenses, can never confer rights or legitimate interests on a respondent.

[WIPO Overview 3.1](#), section 2.13.1.

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.

Accordingly, the Panel finds that 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.

The Liebherr Group was founded in 1949, and the LIEBHERR Trade Mark has been used internationally for decades in connection with construction and heavy machinery, through more than 150 companies in more than 50 countries. The Complainant's International Registration No. 1382828 for the LIEBHERR Trade Mark, which designates, inter alia, China, where the Respondent is located, predates the registration of the disputed domain name on August 14, 2026, by more than nine years. The content of the website to which the disputed domain name resolved, which reproduces the LIEBHERR Trade Mark, the founding year of the Liebherr Group and the Complainant's product range, leaves no doubt that the Respondent was aware of the Complainant and its LIEBHERR Trade Mark and registered the disputed domain name to target them.

[WIPO Overview 3.1](#), section 3.1.4.

In the present case, the Panel notes that the Respondent has used the disputed domain name to operate a website that impersonates the Complainant, offering purported Liebherr cranes and heavy equipment and soliciting the names, company details, email addresses and technical requirements of visitors. By doing so, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the LIEBHERR Trade Mark as to the source, sponsorship, affiliation or endorsement of its website, within the meaning of paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegitimate activity, here impersonation and passing off, and the collection of personal and business information from Internet users under false pretenses, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. The absence of evidence of a completed fraud does not alter this conclusion, given the evident purpose of a website designed to receive business enquiries intended for the Complainant. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

Although the use of a privacy service does not, in itself, constitute evidence of bad faith, the Panel takes into account, in the circumstances of this case, the use of such a service to shield the Respondent's identity, together with the Respondent's failure to submit a response or to provide any explanation for its conduct.

[WIPO Overview 3.1](#), section 3.6.

In light of the above, the Panel finds that the disputed domain name was registered and is being used in bad faith. The Panel finds that 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 <liebherequipment.com> be transferred to the Complainant.

/Gonçalo M. C. Da Cunha Ferreira/

Gonçalo M. C. Da Cunha Ferreira

Sole Panelist

Date: October 16, 2026