ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Sennheiser electronic SE & Co. KG v. Steven Klein
Case No. D2026-4006

1. The Parties

The Complainant is Sennheiser electronic SE & Co. KG, Germany, represented by Bettinger Rechtsanwälte Partnerschaft mbB, Germany.

The Respondent is Steven Klein, United States of America ("United States"), unrepresented.

2. The Domain Name and Registrar

The disputed domain name <shopsennheiser.shop> (the "Disputed Domain Name") 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 7, 2026. On September 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On September 8, 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 / identity not disclosed in public RDAP) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 10, 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 18, 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 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 14, 2026.

The Center appointed Michael D. Cover as the sole panelist in this matter on October 20, 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 was founded in 1945 as Laboratorium Wennebostel by Fritz Sennheiser and has since developed into an internationally active audio company with more than 2,800 employees, manufacturing facilities in Germany, Ireland and the United States and sales subsidiaries and research laboratories worldwide. The Complainant designs and produces a broad range of premium audio products, including microphones, headphones, wireless technologies, monitor systems, telephone accessories, aviation and office headsets and other audio solutions.

The Complainant owns numerous trademark registrations for SENNHEISER in jurisdictions throughout the world, including:

International Trademark Registration No. 670839 registered March 6, 1997, for goods in Class 9;

European Union Trademark No. 000370122 registered August 27, 1999, in Classes 9, 10 and 16; and

European Union Trademark No. 001594308 registered on August 21, 2001, for goods and services in Classes 3, 9, 18, 21, 25, 28, 38, 41 and 42.

The Complainant owns and uses numerous domain names incorporating its SENNHEISER trademark, including <sennheiser.com>, <sennheiser.net> and <sennheisershop.com>. The Complainant promotes its products through its official online presence and extensive international sales and service network.

The Disputed Domain Name was registered on May 20, 2026. The Disputed Domain Name resolves, when accessed without the “www” prefix, to an active online shop designed to create the appearance of an official Sennheiser retail website. This website offers purported SENNHEISER audio products and accessories and promotes purported SENNHEISER products at discount prices. At the bottom of a page on the website, the website identifies itself as “Sennheiser” and states “© 2026 Sennheiser. All rights reserved.”

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. The Complainant submits that the Disputed Domain Name incorporates the Complainant’s well-known SENNHEISER trademark in its entirety, together with the descriptive term “shop”, and is being used for an unauthorized online store presenting itself as a Sennheiser shop.

Identical or Confusingly Similar

Notably, the Complainant contends that the Complainant’s registrations for its trademark SENNHEISER predate the registration of the Disputed Domain Name by many years and establish the Complainant’s rights in the SENNHEISER mark and that the Complainant had established extensive trademark rights and international reputation in the SENNHEISER mark. The Complainant submits that the Disputed Domain Name is especially misleading in the context of its use, because the expression “Shop Sennheiser” naturally suggests an official or authorized online retail outlet for the Complainant’s products. The Complainant submits that the overall presentation of the website to which the Disputed Domain Name resolves, including the use of the SENNHEISER name, purported listings, deep discounts, ecommerce functionality, warranty

and shipping claims and the copyright notice is calculated to cause Internet users to believe that the website is operated by, affiliated with or authorized by the Complainant.

The Complainant submits that the Disputed Domain Name is identical or confusingly similar to the Complainant's mark. The Complainant states that the Complainant has established registered trademark rights in SENNHEISER and the Disputed Domain Name incorporates the SENNHEISER mark in its entirety and adds only the descriptive term "shop" before the mark. The Complainant then submits that the addition of the descriptive term "shop" does not prevent a finding of confusing similarity and that the SENNHEISER mark remains immediately recognizable within the Disputed Domain Name and that the term "shop" increases the risk of association, because it directly describes the commercial function of a retail website offering the Complainant's products. The Complainant continues that the generic Top-Level Domain ("gTLD") ".shop" is a standard registration element and is to be disregarded for the purposes of the first element (of the Policy). In the present case, says the Complainant, the combination of the second-level term "shopsennheiser" with the ".shop" gTLD further reinforces the overall impression of an official Sennheiser online store.

The Complainant concludes that the Disputed Domain Name is confusingly similar to a trademark in which the Complainant has rights and that the first element of paragraph 4(a) of the Policy is satisfied.

Rights or Legitimate Interests

The Complainant submits that the Respondent has no rights or legitimate interests in the Disputed Domain Name.

The Complainant sets out that the Complainant has not licensed, authorized, permitted or otherwise consented to the Respondent's use of the SENNHEISER trademark in the Disputed Domain Name or on the associated website and that the Respondent is not an authorized dealer, distributor, reseller or service provider, affiliate or licensee of the Complainant.

The Complainant sets out that there is no evidence that the Respondent is commonly known by the Disputed Domain Name or by any corresponding name incorporating SENNHEISER and that there is no evidence that the Respondent is an entity connected with the Complainant and also that the Respondent is not using the Disputed Domain Name in connection with a bona fide offering of goods or services. The Complainant submits that the website to which the Disputed Domain Name resolves impersonates an official Sennheiser website, offers purported SENNHEISER products at steep discounts and provides consumer-facing e-commerce functionality without disclosing the absence of any relationship with the Complainant.

The Complainant concludes that such use cannot constitute a bona fide offering and cannot confer rights or legitimate interests and that the Complainant has made out a prima facie showing that the Respondent lacks rights or legitimate interests in the Disputed Domain Name and that the second element of paragraph 4(a) of the Policy is satisfied.

Registered and Used in Bad Faith

The Complainant submits that the Disputed Domain Name was registered in bad faith and that, at the time of registration of the Disputed Domain Name, the Respondent plainly knew of and specifically targeted the Complainant and its SENNHEISER trademark. The Complainant also submits that the composition of the Disputed Domain Name itself leaves no plausible explanation other than deliberate targeting and that the composition of the Respondent's actual website removes any conceivable doubt as to the Respondent's knowledge and intent.

The Complainant also submits that the Disputed Domain Name is being used in bad faith and that the Respondent intentionally attempts to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's SENNHEISER trademark.

The Complainant concludes that the Respondent's use therefore falls squarely within paragraph 4(b)(iv) and that the third element of paragraph 4(a) of the Policy is satisfied.

Remedy requested by the Complainant

The Complainant requests that the Panel order that the Disputed Domain Name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

The Complainant must establish on the balance of probabilities that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; that the Respondent has no rights or legitimate interests in the Disputed Domain Name; and that the Disputed Domain Name has been registered and is being used in bad faith.

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, in this case in the Complainant's SENNHEISER trademark.

The Panel finds the SENNHEISER mark is recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's SENNHEISER mark for the purposes of the Policy.

Although the addition of other terms, here, "shop", 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.

In addition, it is well-established in prior UDRP decisions that the applicable gTLD, here ".shop", is a standard registration requirement and may be ignored in considering confusing similarity. WIPO Overview 3.1, section 1.11.1 and this is the approach the Panel has adopted in this Decision.

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 Respondent has not made use of the Disputed Domain Name (or demonstrable plans for such use) with a bona fide offering, been commonly known by the Disputed Domain Name or made legitimate noncommercial or fair use of the Disputed Domain Name.

Panels have held that the use of a disputed domain name for, here, claimed illegitimate activities such as passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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 has been using the Disputed Domain Name to impersonate the Complainant and to offer purported SENNHEISER products for sale at discounted prices. The Panel further finds that the Respondent has intentionally attempted to attract for commercial gain Internet users by creating a likelihood of confusion with the Complainant's well-known SENNHEISER trademark. The Panel also notes that panels have held that the use of a domain name for illegitimate activities, here, claimed passing off, impersonation, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds that the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy and 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 <shopsennheiser.shop> be transferred to the Complainant.

/Michael D. Cover/
Michael D. Cover
Sole Panelist
Date: November 3, 2026