ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Voith GmbH & Co. KGaA v. Unafe Mavir
Case No. D2026-4018

1. The Parties

The Complainant is Voith GmbH & Co. KGaA, Germany, represented by Bettinger Rechtsanwälte Partnerschaft mbB, Germany.

The Respondent is Unafe Mavir, United States of America.

2. The Domain Name and Registrar

The disputed domain name <voiths.sbs> 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 8, 2026. On September 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 9, 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 the same date, 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 the same date.

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 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 2, 2026.

The Center appointed Beatrice Onica Jarka as the sole panelist in this matter on October 6, 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 is a global technology company based in Germany, with a history dating back to 1867. The Complainant operates globally across sectors including energy, papermaking, raw materials, transport, and automotive applications, reporting around 22,000 employees and annual sales of approximately EUR 5.2 billion.

The Complainant owns numerous trademark registrations in multiple jurisdictions. Examples of the Complainant's registrations include:

- International Registration No. 447007 VOITH, registered on August 22, 1979, which covers services in classes 37 and 42;
- India Registration No. 2076518 VOITH, registered on December 28, 2010, which covers goods in class 7; and
- India Registration No. 2406917 VOITH, registered on October 5, 2012, which covers goods and services in classes 7, 9, 11, 12, 24, 35-42, 44, 45.

The Complainant also maintains an online presence, utilizing its official website at the domain name <voith.com> to promote its products and services globally.

The disputed domain name was registered on June 24, 2026. According to the evidence submitted by the Complainant, the disputed domain name resolves to an active website prominently displaying the VOITH mark, logo, and corporate imagery.

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:

Identical or Confusingly Similar:

- The Complainant has established registered trademark rights in the mark VOITH.
- The disputed domain name incorporates the VOITH mark in its entirety and merely adds the letter "s", leaving the trademark immediately recognizable.
- The addition of a single letter does not prevent a finding of confusing similarity and is characteristic of typosquatting or a minor variation of the Complainant's mark.
- The generic Top-Level Domain ".sbs" is a standard registration requirement and is disregarded for purposes of the first element.

Rights or Legitimate Interests:

- The Complainant has not licensed, authorized, or otherwise permitted the Respondent to use the VOITH mark, to register a domain name incorporating that mark, or to reproduce the Complainant's website or corporate materials.

- There is no evidence that the Respondent has been commonly known by the disputed domain name or by the name “Voiths”, and the Respondent has no independent rights or legitimate interests in either designation.
- The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services; rather, the Respondent has created an unauthorized copy of the Complainant’s corporate website, and use of a confusingly similar domain name for an impersonating or copycat website cannot constitute a bona fide offering of goods or services.
- The technical modification of asset references from the Complainant’s genuine <static.voith.com> host to the Respondent-controlled <static.voiths.sbs> host shows the Respondent actively adapted copied website code, excluding any suggestion of an incidental reference.
- The website falsely presents itself through the Complainant’s identity and content without any prominent disclaimer, confirming the Respondent is not making a legitimate noncommercial or fair use.

Registered and Used in Bad Faith:

- At the time of registration, the Respondent plainly knew of and specifically targeted the Complainant and its VOITH trademark, which is a distinctive corporate identifier used internationally for decades.
- The Respondent’s website reproduces the Complainant’s corporate identity and imagery, and the copied source code was deliberately adapted to call web assets from <static.voiths.sbs> instead of the genuine <static.voith.com>. The creation of such a website demonstrates a deliberate intention to imitate the Complainant.
- The disputed domain name is used to impersonate the Complainant, which intentionally creates a likelihood of confusion as to source, sponsorship, affiliation, or endorsement. Cloning a corporate website and brand features is clear evidence of bad faith.
- A cloned corporate website creates an obvious risk of deception for consumers and business partners, who may reasonably believe they have reached an official Complainant’s online location.
- Although the copied site displayed incomplete formatting due to a defect in stylesheet migration, the underlying character remains a copied site and does not make the use legitimate.
- While no Mail Exchange records were configured at the time of investigation, the active impersonating website establishes bad faith independent of any actual email use.
- The Respondent initially used a privacy service to conceal its identity, which, when combined with the deliberate registration of a near-identical variation of the mark and the cloning of the website, reinforces the overall inference of bad faith. Such concealment in these circumstances further supports a finding 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 or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1. The Panel finds that the Complainant has established valid registered rights in the VOITH trademark.

The disputed domain name incorporates the Complainant's VOITH mark in its entirety, with the mere addition of the letter "s". It is well-established under the UDRP practice that a domain name which consists of a variation of a trademark, e.g., the addition of a single letter (referred to as typosquatting), is considered confusingly similar to that mark for purposes of the Policy.

Furthermore, the applicable Top-Level Domain (".sbs") is viewed as a standard registration requirement and is systematically disregarded under the first element test.

The entirety of 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.

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 Complainant has firmly asserted that it has not licensed, authorized, or otherwise permitted the Respondent to use the VOITH mark. There is no evidence on the record to suggest that the Respondent has been commonly known by the disputed domain name. The Respondent has utilized the disputed domain name to host a website that copies the Complainant's corporate identity, branding, imagery, and website structure. The Panel determines that such use—operating a confusingly similar domain name to host a copycat or impersonating website—fundamentally cannot constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use.

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

The Respondent, having defaulted, failed to rebut the Complainant's prima facie case.

Therefore, the Panel finds that the second element of paragraph 4(a) of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.1, section 3.2.1.

The Panel observes that the VOITH mark is a distinctive corporate and trademark identifier with decades of use in international commerce. The Respondent registered a typo domain name, consisting of a near-identical variation of this mark. Given the specialized nature of the Complainant's business and the exact cloning of the Complainant's official website content, identity, and imagery, the Panel concludes that the Respondent registered the disputed domain name with full prior knowledge of the Complainant and its trademark rights, demonstrating a deliberate intention to target the Complainant.

In what concerns bad faith use, the evidence clearly demonstrates that the disputed domain name has been used to impersonate the Complainant. The technical modification of asset references from the Complainant's genuine host (at the subdomain <static.voith.com>) to the Respondent-controlled host (at the subdomain <static.voiths.sbs>) further documents the finding of active, calculated impersonation. Such conduct intentionally creates a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent's website, presenting an obvious risk of deception to consumers and business partners.

Panels have held that the use of a domain name for illegitimate activity, here, claimed passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Consequently, the Panel finds that the Complainant has successfully demonstrated that the disputed domain name was registered and is being used in bad faith.

The third element of paragraph 4(a) of the Policy is accordingly satisfied.

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 <voiths.sbs> be transferred to the Complainant.

/Dr. Beatrice Onica Jarka/
Dr. Beatrice Onica Jarka
Sole Panelist
Date: October 20, 2026