

ADMINISTRATIVE PANEL DECISION

Lincoln Global, Inc., The Lincoln Electric Company v. Name Redacted
Case No. D2025-2919

1. The Parties

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

Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name <lincolnelectricz.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 23, 2025. On July 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 24, 2025, 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 (N/A) and contact information in the Complaint. The Center sent an email communication to Complainants on July 24, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainants to submit an amendment to the Complaint. Complainants filed an amended Complaint on July 25, 2025.

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

¹ The party that undertook registration of the disputed domain name (the Respondent-in-fact) appears to have used the name of an unrelated individual when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 Respondent of the Complaint, and the proceedings commenced on July 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 17, 2025. Respondent did not submit any response. Accordingly, the Center informed the Parties that it would proceed with the panel appointment process on August 19, 2025.

The Center received a third-party email on August 5, 2025. In this email, the third party advised the Center that it was not the registrant or owner of the disputed domain name. The third party speculated that Respondent may have registered the disputed domain name using its name because it is employed by Complainant.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on August 22, 2025. 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

Both Complainants are affiliated companies under the umbrella ownership of Lincoln Electric Holdings, Inc., a corporation organized in the State of Ohio, United States, and headquartered in Cleveland, Ohio. Complainant traces its history back to its founding in 1895. The two affiliated companies owning the trademarks asserted in this case are The Lincoln Electric Company and Lincoln Global, Inc., and they are hereafter referred to collectively as Complainant. Complainant designs, develops and manufactures arc welding products, robotic arc welding systems, plasma and oxy-fuel cutting equipment, brazing and soldering alloys. Complainant operates 71 manufacturing and automation system integration locations across 21 countries and maintains a worldwide network of distributors and sales offices serving customers in over 160 countries. Complainant is a publicly traded company, listed on the NASDAQ stock exchange in the United States, with reported sales of USD 4.2 billion in 2023.

Complainant is the owner of registrations of the trademark LINCOLN ELECTRIC on the Principal Register of the United States Patent and Trademark Office (USPTO):

- registration number 2350082, registration dated May 16, 2000, in international class (IC) 9, covering “electrical apparatus, namely, welders, welding heads, transformers, power supplies and controllers for electrical arc welders, and structural parts therefor; welding electrodes”;
- registration number 2420805, registration dated January 16, 2001, in IC 35, covering “distributorship services in the field of electric arc welders, plasma cutters and parts and components therefor”; and
- registration number 3114157, registration dated July 11, 2006, in IC 6, covering “welding consumables, namely, metal welding wire and metal welding rods.”

Complainant has provided evidence of additional trademark registrations for LINCOLN ELECTRIC in other jurisdictions, including in the European Union and Canada.

Complainant operates its primary commercial website at “www.lincolnelectric.com”, which receives a substantial number of Internet visitors. Complainant is the owner of registrations for numerous LINCOLN ELECTRIC-formative domain names.

According to the Registrar’s verification, Respondent, whose name is redacted in this decision because of apparent identity theft, is the registrant of the disputed domain name. According to the WhoIs report, the disputed domain name was initially registered on June 3, 2025. It appears that an unidentified third party has owned and controlled the disputed domain name since its initial date of registration.

The only evidence of use of the disputed domain name by Respondent on the record of this proceeding is in connection with what appears to be a pay-per-click (PPC) parking page indicating that the disputed domain name has recently been registered with the Registrar, and that the search page was generated by Respondent using Sedo Domain Parking. The screenshot of the parking page provided by Complainant lists relevant searches as "Ai Productivity Solution", "Gold and Silver Ira Companies" and "Financial Platforms" [sic].

There is no evidence on the record of this proceeding of any association, commercial or otherwise, between Complainant and the Respondent-in-fact. The Panel notes, however, that the person listed on the record of registration for the disputed domain name seems to be associated with Complainant as an employee, and the address included in the record of registration is one of Complainant's business addresses.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that it owns rights in the trademark LINCOLN ELECTRIC and that the disputed domain name is confusingly similar to that trademark.

Complainant argues that Respondent lacks rights or legitimate interests in the disputed domain name because: (1) Respondent is not sponsored by or affiliated with Complainant in any way, and Complainant has not authorized Respondent to use Complainant's trademark in the disputed domain name or otherwise; (2) Respondent is not commonly known by the disputed domain name and does not have rights in a corresponding trademark; (3) use of the disputed domain name in connection with a presumptively PPC parking page does not establish rights or legitimate interests; (4) an MX record has been created in connection with the disputed domain name which suggests intent to use for purposes of passing off, and; (5) Respondent registered the disputed domain name substantially following Complainant's acquisition of trademark rights.

Complainant alleges that Respondent registered and is using the disputed domain name in bad faith because: (1) Respondent registered the disputed domain name long after Complainant acquired rights in its trademark; (2) Respondent registered the disputed domain name using Complainant's trademark with only the addition of a single letter "z", showing familiarity with Complainant and its business; (3) typosquatting has been recognized as evidence of bad faith; (4) use of the disputed domain name in connection with a PPC parking page is evidence that Respondent has used the disputed domain name for commercial gain to attract Internet users based on confusion with Complainant as source, sponsor, affiliate or endorser of Respondent's website; (5) Respondent failed to reply to a cease-and-desist demand, and; (6) setting up an MX record suggests an intent by Respondent to use the disputed domain name for purposes of passing off or committing fraud.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

The Center formally notified the Complaint to Respondent at the email and physical addresses provided in its record of registration. There does not appear to have been difficulty in completing at least some e-mail transmission of notice to Respondent. Courier delivery to the physical address listed in Respondent's record of registration was successful, but the recipient was not the registrant-in-fact of the disputed domain name,

but rather an employee of Complainant included in the registration without knowledge or consent. The Center took those steps prescribed by the Policy and the Rules to provide notice to Respondent, and those steps are presumed to satisfy notice requirements.

Paragraph 4(a) of the Policy sets forth three elements that must be established by a complainant to merit a finding that a respondent has engaged in abusive domain name registration and use and to obtain relief.

These elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights;
- (ii) 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.

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has shown rights in respect of the LINCOLN ELECTRIC trademark for the purposes of the Policy². [WIPO Overview 3.0](#), section 1.2.1.

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 3.0](#), section 1.7.

Although the addition of other terms, here the letter "z", 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 3.0](#), section 1.8.

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 Complainant, panels have recognized that proving 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 Respondent. As such, where Complainant, as here, makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If respondent, as here, fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

²The Panel uses the term "trademark" in its inclusive sense, covering also service mark.

The establishment by Respondent of a presumptively PPC parking page does not constitute a bona fide offering of goods or services because it attempts to take advantage of Complainant's trademark without consent, and it is based on false association with Complainant. Respondent's use of the disputed domain name does not constitute legitimate noncommercial use or fair use. There is no evidence that Respondent has been commonly known by or established trademark rights in the disputed domain name. Respondent has not attempted to provide an explanation that might legitimize its registration and use of the disputed domain name.

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 Respondent directly and fully incorporated Complainant's distinctive trademark in the disputed domain name, adding only a single letter "z" at the end. This is evidence that Respondent intended to cause Internet users to confuse Respondent's website address with the address of Complainant's heavily trafficked website. This deliberate targeting indicates that Respondent must have been aware of Complainant and its distinctive trademark when it registered the disputed domain name. The fact that Respondent used the name and business address of an employee of Complainant in its record of registration of the disputed domain name without that employee's knowledge or consent evidences bad faith intent on the part of Respondent in registering the disputed domain name.

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 3.0](#), section 3.2.1.

Respondent's use of the disputed domain name in connection with a presumptively PPC website is evidence of intent on the part of Respondent for commercial gain to attract Internet users to its website by suggesting that Complainant is the source, sponsor, affiliate or endorser of Respondent's website. This constitutes bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

The fact that Respondent chose to falsely use the name of an employee of Complainant in connection with registration of the disputed domain name suggests that Respondent was intending to use the disputed domain name for some illegitimate purpose, whether or not specifically tied to Complainant³. Respondent may well have intended to use the disputed domain name to transmit email messages purportedly originating from the named registrant, Complainant's employee, or some other person associated with Complainant. And, while recognizing that Respondent employed a privacy service that might have made it difficult for a third party to identify Complainant's employee as the registrant of the disputed domain name, the possibility for a third party (including a law enforcement authority) to identify the registrant might have been contemplated by Respondent when it registered the disputed domain name. Whatever may have been Respondent's specific intent, using the name of an employee of the owner of a trademark without that employee's consent in registering the disputed domain name is sufficient evidence of bad faith for a finding by the Panel of abusive domain name registration and use, in addition to the use of the disputed domain name in connection with the PPC page.

³Complainant has argued that the association of an MX record with the disputed domain name is evidence of Respondent's bad faith intent to use the disputed domain name in connection with a deceptive email scheme of some type. Although the creation of an MX record is a predicate to using a domain name for email transmission, whether that evidences bad faith intent is dependent on several factors, including the policies and practices regarding establishment of MX records of the particular registrar. As other factors are sufficient to establish bad faith on the part of Respondent, the Panel does not address the evidentiary significance of the MX record here.

The Panel finds that 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 <lincolnelectricz.com> be transferred to Complainant.

For purposes of properly executing this order, the Panel also directs the Registrar's attention to Annex 1 hereto that identifies the individual listed as registrant of the disputed domain name in the formal record of registration, and orders that the disputed domain name <lincolnelectricz.com> be transferred from that individual to Complainant.

The Panel directs the Center that Annex 1 shall not be published along with this Decision.

/Frederick M. Abbott/

Frederick M. Abbott

Sole Panelist

Date: September 4, 2025