Decision for dispute CAC-UDRP-107332

Case number	CAC-UDRP-107332
Time of filing	2025-05-13 13:49:47
Domain names	mondoconvenienzacucine-2024.today, mondoconvenienzacucine-24.today, mondoconvenienzacucine.today, mondoconvenienzacucine1.today, mondoconvenienzacucine-it.today, mondoconvenienzacucine-1.today, mondo-convenienza-cucine.today, mondoconvenienzacucine--25.today, mondoconvenienzacucine--24.today, mondoconvenienzacucine--26.today, mondo-convenienza-cucine.bond

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	Mondo Convenienza Holding S.p.A.

Complainant representative

Organization	Barzanò & Zanardo S.p.A.

Respondents

Organization	Crossroads LLC
Name	Ravindra Naidu

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain names.

IDENTIFICATION OF RIGHTS

The Complainant is owner of various trademark registrations, including:

- Italian trademark MONDO CONVENIENZA with registration nr. 0000689185 of October 14, 1996 for goods in classes 9, 11, 20 and 21; and
- European Union device mark MONDO CONVENIENZA with registration nr. 002635704 of June 17, 2003 for goods and services in classes 11, 20, 21, 35 and 39

FACTUAL BACKGROUND

The Complainant is an Italian company which was established in 1985 and specializes in large-scale organized distribution of furniture and furnishing accessories, including kitchens. The Complainant has point of sales in Italy and Spain, has over 4,000 employers, 6,500 customers every day and an annual turnover of 1.3 billion Euro.

The disputed domain names were registered between October 1, 2024 and December 13, 2024 as follows:

- October 1, 2024: <mondoconvenienzacucine-2024.today>
- October 5, 2024: <mondoconvenienzacucine-24.today>
- October 7, 2024: <mondoconvenienzacucine.today> and <mondoconvenienzacucine1.today>
- October 9, 2024: <mondoconvenienzacucine-it.today>
- October 15, 2024: <mondoconvenienzacucine-1.today>
- October 16, 2024: <mondo-convenienza-cucine.today>
- November 7, 2024: <mondoconvenienzacucine--24.today>
- November 20, 2024: <mondoconvenienzacucine--25.today>
- December 12, 2024: <mondo-convenienza-cucine.bond>
- December 13, 2024: <mondoconvenienzacucine--26.today>

All disputed domain names were registered in the name of Crossroads LLC, except the disputed domain name <mondo-convenienza-cucine.bond> which was registered in the name of Ravindra Naidu.

The Complainant alleges that the disputed domain names mostly lead to identical pay-per-click landing pages ("PPC"), while the disputed domain name <mondo-convenienza-cucine.bond> refers to a PPC that is virtually identical to the landing pages of the other disputed domain names, but contains sponsored links related to the Complainant's products. However, the Panel notes that the evidence submitted by the Complainant shows that all the disputed domain names point to PPCs in Italian that have links to, inter alia, kitchens, bathrooms, sofa beds, couches, and furniture—sometimes mentioning a specific (Italian) brand—which the Panel understands to be competing with the products sold by the Complainant.

PARTIES CONTENTIONS

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain names (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

1. Consolidation of the Respondents

The Complainant requested consolidation of the Respondents as it alleges that the disputed domain names are under common

control.

According to paragraph 10(e) of the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), a panel "shall decide a request by a Party to consolidate multiple domain name disputes in accordance with the Policy and these Rules". According to WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0", section 4.11.2, in such cases "panels look at whether (i) the domain names or corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario."

The Respondents had the opportunity but did not respond to the Complaint.

By applying the principles to the facts of this case, the Panel finds that the Complainant has demonstrated that the disputed domain names are in all likelihood under common control because:

a. the disputed domain names all show the same pattern of the Complainant's MONDO CONVENIENZA trademark with the addition of the term "cucine";

b. the disputed domain names were all registered in the same time frame;

c. all the disputed domain names resolve to similar PPCs in Italian which seem to (at least partially) target the Complainant's business; and

d. the Respondents provided physical addresses within 50 miles from each other in the Los Angeles area, while the address listed by Respondent Ravindra Naidu undisputedly corresponds to an office space to be rented.

The Panel therefore finds that this common control justifies the consolidation of the Complainant's claims against the Respondents of the disputed domain names. The Panel further concludes that consolidation in the circumstances of this case is fair and equitable to all parties and procedurally efficient, and therefore grants the consolidation requested by the Complainant pursuant to paragraph 10(e) of the Rules.

2. The disputed domain names are confusingly similar to the Complainant's trademark

It is well established that the Top Level Domain ("TLD") – in the present case ".today" and ".bond" – may be disregarded in the assessment under paragraph 4(a)(i) of the Policy (WIPO Overview 3.0, section 1.11).

All disputed domain names contain the Complainant's trademark MONDO CONVENIENZA in its entirety, supplemented by the term "cucine" (Italian for "kitchen"), together with a number, a year or "it" (presumably the country code for Italy), with the elements sometimes separated by hyphens. Such additions do not prevent the finding that there is a confusing similarity between the disputed domain names and the Complainant's trademark MONDO CONVENIENZA.

3. The Respondent has no rights or legitimate interests in respect of the disputed domain names

The Complainant must make a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, which the Respondent may rebut (e.g., Croatia Airlines d.d. v. Modern Empire Internet Ltd., WIPO Case No. D2003-0455).

The Panel takes note of the various allegations of the Complaint and in particular, that the Respondents were not authorized to use the Complainant's MONDO CONVENIENZA for registration and use of the disputed domain names, and that the Respondents are not commonly known by the disputed domain names, while the disputed domain names resolving to landing pages which include links that seem to compete with the activities of the Complainant, do not constitute use of the disputed domain names in connection with a bona fide offering of goods and services nor are the Respondents using the disputed domain names in a legitimate non-commercial or fair manner. In absence of a Response, the Panel is satisfied that the Complainant made a prima facie case that the Respondents have no rights or legitimate interests in respect of the disputed domain names.

4. The disputed domain names have been registered and used in bad faith

In the Panel's view, it is likely that at the time the Respondents registered the different disputed domain names they must have had the Complainant's MONDO CONVENIENZA trademark in mind, as the Complainant secured registration for the trademark MONDO CONVENIENZA decades before the registration of the disputed domain names, the word combination "MONDO CONVENIENZA" is a fanciful combination of words, and the consistent addition of the term "cucine" to the Complainant's trademark MONDO CONVENIENZA as part of the disputed domain names indicate that the Respondents must have been aware of the products offered by the Complainant under that trademark and of the Complainant's target audience, which is predominantly Italian.

Further, with respect to the Respondents' alleged use of the disputed domain names in bad faith, the Panel concludes that the Respondents have attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark MONDO CONVENIENZA through displaying third-party PPC links of services which are also sometimes competing with the Complainant's activities on the websites to which the disputed domain names resolve. See also WIPO Overview 3.0, section 3.5: "Particularly with respect to "automatically" generated pay-per-click links, panels have held that a respondent cannot disclaim responsibility for content appearing on the website associated with its domain name (nor would such links ipso facto vest the respondent with rights or legitimate interests)."

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **mondoconvenienzacucine-2024.today**: Transferred
2. **mondoconvenienzacucine-24.today**: Transferred
3. **mondoconvenienzacucine.today**: Transferred
4. **mondoconvenienzacucine1.today**: Transferred
5. **mondoconvenienzacucine-it.today**: Transferred
6. **mondoconvenienzacucine-1.today**: Transferred
7. **mondo-convenienza-cucine.today**: Transferred
8. **mondoconvenienzacucine--25.today**: Transferred
9. **mondoconvenienzacucine--24.today**: Transferred
10. **mondoconvenienzacucine--26.today**: Transferred
11. **mondo-convenienza-cucine.bond**: Transferred

PANELLISTS

Name	**Alfred Meijboom**

DATE OF PANEL DECISION 2025-06-15

Publish the Decision