Decision for dispute CAC-UDRP-107625

Case number	CAC-UDRP-107625
Time of filing	2025-05-28 14:15:36
Domain names	lilndt-home-of-chocolate.com, lindtmuseumtickets.com

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG
Organization	Lindt Chocolate Competence Foundation

Complainant representative

Organization	SILKA AB

Respondents

Name	John Deecon
Name	Anton Kraev

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 Complainants hold various trademark registrations incorporating the terms LINDT and LINDT HOME OF CHOCOLATE across numerous jurisdictions worldwide. The LINDT marks are registered and owned by the First Complainant (e.g. International trademark LINDT, No. 217838, registered on March 2, 1959), while the LINDT HOME OF CHOCOLATE marks are held by the Second Complainant (Swiss trademark

FACTUAL BACKGROUND

- The First Complainant, founded in 1845, is a well-known chocolate maker based in Switzerland. As a leader in the market of

premium quality chocolate, the First Complainant produces chocolates from 12 own production sites in Europe and the United States. These are sold by 38 subsidiaries and branch offices, as well as via a network of over 100 independent distributors around the globe. The First Complainant also runs more than 500 own shops. With around 15,000 employees, the First Complainant reported sales of CHF 5.47 billion in 2024.

- The Second Complainant, founded in 2013, is a Swiss non-profit foundation established by the First Complainant to promote research, education, and knowledge in the field of chocolate. It operates the Lindt Home of Chocolate Museum in Kilchberg, Switzerland, which includes a multimedia exhibition, research facilities, a pilot plant, and a chocolate shop. The Second Complainant plays a central role in reinforcing the heritage and reputation of the LINDT brand.

- The Complainants are closely affiliated. While legally distinct, they cooperate closely in the promotion, protection, and development of the LINDT and LINDT HOME OF CHOCOLATE brands and share a strong commercial and reputational interest in those marks.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain names should be transferred to it.
No administratively compliant Response has been filed.

RIGHTS

The Complainants have, 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).

- The consensus view among panels, in relation to the first UDRP element, is that where a complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold of having trademark rights for the purposes of standing to file a UDRP case (see WIPO Overview 3.0, section 1.2.1).

- As established in the Factual Grounds, the Complainants hold multiple trademark registrations for the LINDT and LINDT HOME OF CHOCOLATE terms. Moreover, through decades of use, the LINDT brand has become the primary and overarching identifier of the First Complainant's commercial activities.

- The second level of <liindt-home-of-chocolate.com> is almost identical to the LINDT HOME OF CHOCOLATE mark, and confusingly similar to the LINDT mark. Further to a side-by-side comparison, the LINDT HOME OF CHOCOLATE and LINDT marks remain clearly recognisable in the disputed domain name (see WIPO Overview 3.0, section 1.7). The fact that the terms which form part of the LINDT HOME OF CHOCOLATE mark are separated by hyphens reinforces the degree of confusing similarity, for this is how the mark is also represented in the string of the Second Complainant's official website: lindt-home-of-chocolate.com. The fact that 'LINDT' is misspelled in the disputed domain name (i.e., with the addition of another 'l' after the 'i' and before the 'n') does not prevent a finding of confusing similarity (see WIPO Overview 3.0, section 1.9).

- Also see, for example, Chocoladefabriken Lindt & Sprüngli AG v. Louth Ecom, CAC-UDRP-106391 (2024) (involving the domain name **<liindt.com>**): 'The sole difference between the disputed domain name and the Complainant's trademark is the addition of a single letter, i.e. "i". [/] Thus, the Panel agrees with the Complainant's assertions that slight spelling variations do not prevent a disputed domain name from being confusingly similar to the Complainant's trademark and that the present case represents a clear case of typo-squatting.'

- The second level of <lindtmuseumtickets.com> is confusingly similar to the First Complainant's LINDT mark. The disputed domain name's second level encompasses this term in full, only followed by the words 'museum' and 'tickets', both of which are related to the Second Complainant's LINDT HOME OF CHOCOLATE brand. The LINDT mark is clearly recognisable in the disputed domain name and the addition of the aforementioned terms does not prevent a finding of confusing similarity (see WIPO Overview 3.0, section 1.8: 'Where the relevant trademark is recognizable within the disputed domain name, the addition of

other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.').

- Also see, for example, LEGO Juris A/S v. Dirk Zagers, WIPO Case No. D2024-3968 (involving the domain names **<legolandofficial.org>** and **<legolandtickets.org>**): 'Although the addition of other terms (here, "official" and "tickets") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy.'

- The disputed domain names´ '.com' extensions form a standard registration requirement and can, as such, be disregarded under the first element confusing similarity test. See WIPO Overview 3.0, section 1.11.1, and, for instance, Teva Pharmaceutical Industries Ltd. v. Kebri Luna, CAC-UDRP-107383 (2025): 'Finally, the generic Top-Level Domain ("gTLD") ".com" of the disputed domain name is typically disregarded under the first element confusing similarity test (see WIPO Overview 3.0 at section 1.11.1).'

- In view of the above, the Panel finds the disputed domain names are confusingly similar to marks in which the Complainants have rights for the purposes of paragraph 4(a)(i) of the Policy.

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainants have, 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).

The Respondent lacks rights or legitimate interests in the disputed domain names. Following the submissions made in this section of the Complaint, the burden will shift to the Respondent to put forward evidence to show that it has rights or legitimate interests in the disputed domain names. Paragraph 4(c) of the Policy lists some circumstances in which a respondent may demonstrate that it has a right or legitimate interest in a domain name. The Complainant submits that none of the scenarios confers the Respondent with rights or legitimate interests in this matter.

To knowledge, the Respondent does not have trademark rights for, nor is it commonly known by, 'lilndt-home-of-chocolate', 'lindtmuseumtickets', or any similar term. The Respondent is not connected to nor affiliated with the Complainant and has not received license or consent to use the LINDT or LINDT HOME OF CHOCOLATE marks in any way. Past UDRP decisions have also established that the mere ownership of a domain name does not confer rights or legitimate interests on a respondent (see, for example, Parchment LLC v. Jim Lovelle / Parchment Transcript LLC, Forum Case No. 2009654 (2022)).

The Respondent has not used, nor prepared to use, the disputed domain names in connection with a bona fide offering of goods or services, nor a legitimate non-commercial or fair use. The disputed domain names previously resolved to identical/near identical sites which impersonated/passed off as official sites of the Complainant's Lindt Home of Chocolate Museum. These sites brandished the heading 'Lindt Museum' and purported to offer the sale of discounted Lindt Home of Chocolate Museum tickets. The sites adopted a similar look and feel to that of the official lindt-home-of-chocolate.com site (e.g., featuring images which appear to depict locations in the museum – some of which include the Complainant's LINDT logo) and encouraged users to contact its operator (on the pretence of enquiring about tickets) by providing their name, email address and a message. The sites' contact pages included the Complainant's Lindt Home of Chocolate Museum's actual address, but in connection with an e-mail address presumably under the Respondent's control: lindttickets@gmail.com. Each site presented the footer text 'Copyright © 2025 Lindt Museum Tickets. All rights reserved.'

The Respondent's use of the disputed domain names to impersonate/pass off as the Complainant's official museum is conduct which has unfairly capitalised on the Complainant's rights in the LINDT and LINDT HOME OF CHOCOLATE marks, creating the false impression that the disputed domain names are operated by the Complainant. This deception is apparent through the aforementioned visual indicia including, in particular, the Respondent's presentation of the contact e-mail address lindttickets@gmail.com (which it presumably controls) alongside the physical address of the Complainant's Lindt Home of Chocolate Museum. Panels have consistently found that the use of a domain name to engage in activities including impersonation/passing off can never confer a respondent with rights or legitimate interests under the Policy (see WIPO Overview 3.0, section 2.13.1).

For completeness, the Complainants notes that the Respondent has not made (and is not making) a fair use of the disputed domain names as a reseller within the context of the cumulative Oki Data limbs (see WIPO Overview 3.0, section 2.8.1). In particular, the Respondent has not accurately and prominently disclosed its lack of relationship with the Complainant (limb 3). On the contrary, the Respondent's prominent use of the LINDT mark, details regarding the Lindt Home of Chocolate Museum, the misleading copyright notice ('Copyright © 2025 Lindt Museum Tickets. All rights reserved.') and associated visual indicia have all reinforced the false impression that the disputed domain names are operated or authorised by the Complainant – rather than an unconnected third party.

The nature of the disputed domain names creates a clear risk of implied affiliation and does not constitute fair use (see WIPO Overview 3.0, section 2.5.1). The domain name <lindtmuseumtickets.com> combines the well-known LINDT mark with the terms 'museum' and 'tickets', directly referencing the Lindt Home of Chocolate Museum and falsely suggesting an official source for admissions or information. Similarly, <lilndt-home-of-chocolate.com> incorporates a deliberate misspelling of LINDT with 'home of chocolate', mirroring the museum's official name and misleading users into assuming the site is authorised by the Complainant.

The Complainants note that the disputed domain names, following requests to the applicable registrars, are now suspended and do not resolve to active sites. The fact that the disputed domain names are no longer active does not represent a bona fide offering of goods/services nor a legitimate non-commercial or fair use under the UDRP.

The Respondent lacks therefore rights or legitimate interests in the disputed domain names for the purposes of paragraph 4(a)(ii) of the Policy.

BAD FAITH

The Complainants have, 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).

Under the Policy, bad faith is understood to occur where a respondent 'takes unfair advantage of or otherwise abuses a complainant's mark' (see WIPO Overview 3.0, section 3.1). The Complainants submit that the Respondent has both registered and is using the disputed domain names in bad faith, in accordance with paragraph 4(a)(iii).

As described in the Factual Grounds, the Complainants have accrued substantial goodwill and recognition in the LINDT brand, which was first registered as a trademark more than a century ago. The Complainants are internationally established and recognised. Previous UDRP panels have acknowledged the distinctiveness of, and renown and recognition attached to, the Complainant's LINDT mark. See, for example, Chocoladefabriken Lindt & Sprüngli AG v. Carolina Rodrigues, Fundacion Comercio Electronico, CAC-UDRP-102684 (2019) ('The Complainant's trademarks have existed for decades and are widely known worldwide.'); Chocoladefabriken Lindt & Sprüngli AG v. Sebastian Kochan, WIPO Case No. D2016-1849 ('The Complainant also brings to the Panel's attention that it has been established in previous UDRP decisions that LINDT is considered a well-known trademark.'); and Chocoladefabriken Lindt & Sprüngli AG v. gabriel araujo, CAC-UDRP-106723 (2024) ('The Complainant's trademark […] is widely well-known internationally […]'). The Complainant has also accrued a reputation under the LINDT HOME OF CHOCOLATE brand, which has been registered as a trademark since 2017 and is now associated with one of Switzerland's most popular attractions.

The Complainants further highlight that their LINDT and LINDT HOME OF CHOCOLATE marks are readily identifiable in publicly accessible trademark databases. Additionally, a basic Google search of 'lilndt-home-of-chocolate' and 'lindtmuseumtickets' directs users to results which clearly pertain to the Complainant's offerings and official lindt-home-of-chocolate.com website. It is therefore evident that, notwithstanding other considerations, the simplest degree of due diligence would have made any prospective registrant of the disputed domain names aware of the Complainants' rights in the internationally recognisable LINDT and LINDT HOME OF CHOCOLATE marks.

The Respondent's selection of the domain names clearly demonstrates an intent to target the LINDT and LINDT HOME OF

CHOCOLATE brands, as discussed under the second UDRP element. The disputed domain name <lilndt-home-of-chocolate.com> is a classic example of typosquatting, mimicking both the LINDT HOME OF CHOCOLATE mark and the Complainant's official website lindt-home-of-chocolate.com, and is designed to capture internet users who mistype 'LINDT'. As noted in National Association of Professional Baseball Leagues, Inc. d/b/a Minor League Baseball v. John Zuccarini, WIPO Case No. D2002-1011, 'typosquatting is inherently parasitic and of itself evidence of bad faith.' The domain name <lindtmuseumtickets.com> similarly combines the globally recognised LINDT mark with 'museum' and 'tickets', directly referencing the Complainant's museum and misleading users. Given the distinctiveness and renown of both marks, the disputed domain names can only sensibly be understood as targeting the Complainants.

Having established the matter of bad faith registration, the Respondent has used the disputed domain names in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

The Respondent has intentionally attempted to attract, for commercial gain, internet users by creating a likelihood of confusion with the Complainant's LINDT and LINDT HOME OF CHOCOLATE marks. Given the nature of the disputed domain name and renown of its LINDT mark, there is a presumption of bad faith in this matter (see WIPO Overview 3.0, section 3.1.4: 'Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith.').

As noted in respect of the second UDRP element, the disputed domain names have been used to resolve to sites which impersonated/passed off as the Complainants. The Respondent has used the confusingly similar domain names to attract users to sites which brandished the Complainant's trademarks alongside other visual indicia (e.g., descriptions, images) associated with the Complainant's official Lindt Home of Chocolate Museum. The sites in question did not feature a disclaimer, but on the contrary falsely identified themselves as the 'Lindt Home of Chocolate' (, with the Complainant's museum's physical address (and the misleading footer text 'Copyright © 2025 Lindt Museum Tickets. All rights reserved.'. The Respondent has used all these, and more, visual elements to create the false impression that the sites represented legitimate sites of the Complainants, encouraging users to 'Leave a request to book tickets.' by providing their name, email address and a message). The Respondent's attempts to capitalise on the Complainants in this manner clearly reflect bad faith use within the meaning of paragraph 4(b)(iv) of the Policy.

(Prior to the suspension of the disputed domain names) the Respondents' solicitation of internet users' personal details, under the false pretences of the sites in question being operated or otherwise authorised by the Complainant, presented a serious phishing risk to both existing and potential customers of the Complainant. Noting the disputed domain names' compositions and the manner in which they have been used, it is likely that the Respondent intended to use the collected details of confused internet users in some future illegitimate form – e.g., to send repeat phishing emails or engage in other brand-targeted scams.

The disputed domain names no longer resolve to active sites does not prevent a finding of bad faith under the Policy. See WIPO Overview 3.0, section 3.3. As submitted above, and reinforced by many previous UDRP decisions, the Complainant's distinctive LINDT mark has, over decades of use, developed a worldwide reputation in connection with its offerings. There is no evidence of the Respondent having made or attempted to make a bona fide offering of goods or services nor a legitimate non-commercial or fair use in connection with the disputed domain names. Nor is there any evidence of the Respondent being commonly known by a term corresponding with the disputed domain names. Most significantly, given the composition of the disputed domain names, which creates a high risk of implied affiliation, it is inconceivable that the Respondent could put the disputed domain names to any good faith use (i.e., any use which would not unfairly capitalise on the Complainants' trademark rights).

Following the disclosure of underlying registrant information by the applicable registrars, one of the Respondents identities ('John Deecon' of <lilndt-home-of-chocolate.com>) is associated with multiple prior UDRP cases of cybersquatting. See Carrefour SA v. John Deecon, TrafficDomains INC, WIPO Case No. D2025-1240, CVS Pharmacy, Inc. ("CVS") v. John Deecon, TrafficDomains INC., WIPO Case No. D2025-0282 and LEGO Holding A/S v. John Deecon, TrafficDomains INC, WIPO Case No. D2025-0497. This history of adverse findings supports a conclusion of bad faith in the present case. As observed in D2025-1240, 'It is also pertinent to note that the Complainant has established that the Respondent has demonstrated a pattern of bad faith conduct because the Respondent was also found in bad faith in LEGO Holding A/S v. John Deecon, TrafficDomains INC, WIPO Case No. D2025-0497.'

In view of the foregoing, the Panel finds bad faith registration and use under paragraph 4(a)(iii) of the Policy.

PROCEDURAL FACTORS

The complaint consolidates multiple domain name disputes. Paragraph 3(c) further provides that a complaint may relate to more than one domain name, provided the domain names are registered by the same domain-name holder.

Section 4.11.1 of the WIPO Overview 3.0 identifies the factors panels typically consider when assessing whether multiple complainants may proceed jointly in a single complaint. These include: 'whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.'

The present Complaint is filed jointly by Chocoladefabriken Lindt & Sprüngli AG (the 'First Complainant') and Lindt Chocolate Competence Foundation (the 'Second Complainant').

The First Complainant is a leading global manufacturer of premium chocolate products and the long-established owner of the LINDT brand. The Second Complainant is a Swiss non-profit foundation established by the First Complainant to promote chocolate expertise and education under the LINDT HOME OF CHOCOLATE initiative. While the Complainants are distinct entities, they are closely affiliated through shared branding, strategic alignment, and public association, with the Second Complainant operating under and alongside the First Complainant's well-known LINDT identity. The Complainants therefore share a common legal and commercial interest in protecting their respective and interrelated trademarks.

The Complainants assert a specific common grievance against the Respondent, who has registered the domain names <lilndt-home-of-chocolate.com> and <lindtmuseumtickets.com> in a manner which targets both Complainants' trademarks. The disputed domain names incorporate confusingly similar variations of the marks and have resolved to the same, identical/near identical websites, falsely suggesting an affiliation with the Complainants. The use of terms such as 'home of chocolate' and 'museum tickets' is particularly misleading given the Second Complainant's operation of the Lindt Home of Chocolate Museum. (See further details under Factual Grounds, below.) The registrations were made just days apart, indicating coordinated targeting of the Complainants' brand identities.

In these circumstances, it is both equitable and procedurally efficient to permit consolidation of the claims brought by the two Complainants against the two registrants thet in these circumstances appear to be a single Respondent. The Respondent's uniform course of conduct – namely, the registration and use of multiple confusingly similar domain names that reference both Complainants' marks and redirect to the same infringing website – demonstrates that the dispute arises from a common set of facts and circumstances. Addressing these related domain name abuses in a consolidated proceeding will avoid duplication, streamline the process, and serve the interests of fairness and procedural economy, without prejudicing the Respondent's ability to present a defence.

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

The Panel found that the Respondent registered and used the domain names in bad faith by intentionally targeting the Complainant's well-known LINDT and LINDT HOME OF CHOCOLATE trademarks to mislead internet users. The Respondent's actions, including typosquatting, impersonation of official websites, and solicitation of personal data, created a likelihood of confusion and commercial exploitation, which falls squarely under paragraph 4(b)(iv) of the UDRP Policy. Given the Complainant's global trademark reputation, the Respondent's failure to offer a legitimate explanation, and their prior record of cybersquatting, the Panel concluded that the domains were registered and used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lilndt-home-of-chocolate.com**: Transferred
2. **lindtmuseumtickets.com**: Transferred

PANELLISTS

Name	Thomas Hoeren

DATE OF PANEL DECISION 2025-06-26

Publish the Decision