Decision for dispute CAC-UDRP-107672

Case number	CAC-UDRP-107672
Time of filing	2025-06-23 11:16:11
Domain names	sundaynatural.info

Case administrator

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

Complainant

Organization	Sunday Natural Products GmbH

Complainant representative

Organization	Hildebrandt. Rechtsanwälte PartG mbB

Respondent

Name	Alexander Johnson

OTHER LEGAL PROCEEDINGS

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

IDENTIFICATION OF RIGHTS

The Complainant has adduced evidence showing that it is the owner of EU trademark No. 016469281 for the brand SUNDAY NATURAL, registered on 10 July 2017 in Nice Classification List classes 3, 5, 11, 14, 21, 25, 29, 30, 32, 33, 35 and 43.

This brand is also included in the name by which the Complainant is known, Sunday Natural Products GmbH, and, according to screenshot evidence it submitted, is associated with a website it operates that resolves to the domain name <sunday.de>. No other evidence of domain name holdings was adduced by the Complainant, although it mentioned its website as being at <sundaynatural.de>.

The Respondent registered the disputed domain name <sundaynatural.info> on 19 March 2025 according to the Registrar Verification requested by the CAC Case Administrator.

FACTUAL BACKGROUND

The Complainant is a German-registered company located in Berlin, with a turnover of around €100 million in 2022 according to a third-party 2024 report it adduced. The company was acquired in 2024 by CVC Capital Partners plc, an investment fund manager in the British Crown Dependency of Jersey. The Complainant's product lines include a range of food supplements, such as vitamins, probiotics and proteins, but extend as well as to teas, beauty and other products, all linked to a "natural" philosophy with which the Complainant identifies and promotes itself.

The Complainant adduced screenshot evidence showing that the disputed domain name <sundaynatural.info > resolves to an internet service provider "parking" page, specified as being used by the domain name holder. The Complainant furthermore referred to the hyperlink on that page to the provider concerned and cited the following description there of the resale service that it provides:

> "Domain Parking
>
> Earn money, and sell your domains more quickly. With domain parking, you earn money with thematically matched advertising links featured on your domain. With every click on an ad your till will ring! [...]. Get to know your domain's value: gain valuable visitor statistics as a basis for price negotiations with prospective buyers."

The page to which the disputed domain name resolves also features advertising hyperlinks concerning nutrition supplements and natural products.

For its part, the Panel's routine scrutiny of the Case File revealed an existent postal address in the US state of Texas as well as a credible telephone number but an e-mail contact address whose userid appears to be composed of random alphabetical characters. Circumstantial indications during this scrutiny raised doubt in the Panel's mind regarding the accuracy of the Respondent's name but the Panel saw no need in this proceeding to exercise its general powers to make any fuller investigation.

As to the Complainant, the Panel verified under its general powers that the domain name <sundaynatural.de> is indeed operational and found that its configuration automatically redirects to <sunday.de>, operated by the Complainant.

PARTIES CONTENTIONS

COMPLAINANT:

1. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

By intensive usage Complainant has established high notoriety for its SUNDAY NATURAL branded products. Furthermore, the Complainant has established its e-commerce business employing <sundaynatural.de>. It is obvious that the disputed domain name <sundaynatural.info> is almost identical with the Complainant's trademark, taking account of the TLD designator <.info>.

2. The Respondent has no rights or legitimate interest in respect of the disputed domain name

The Respondent is not identified by the name "Sunday Natural". The Respondent's use of the disputed domain name consists in domain parking with a pop-up advertisement for food supplements; other than that advertisement, the Respondent operates no business known as "Sunday Natural". Nor does the Respondent offer goods or services under the Complainant's trademark or any SUNDAY NATURAL trademark or service mark that the Respondent owns. The Respondent is not making any legitimate non-commercial or fair use of the domain name.

3. The disputed domain name was registered and is being used in bad faith

The Respondent registered the disputed domain name in bad faith for the purpose of selling it to the Complainant or a competitor of the Complainant for valuable consideration in excess of the Respondent's documented out-of-pocket costs (in the sense of para. 4 (b)(i) of the Policy) and by using the disputed domain name to intentionally attempt to attract, for commercial gain, internet users to the Respondent's web site by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the web site and of products on it (in the sense of para. 4 (b)(iv) of the Policy).

Moreover, the disputed domain name <sundaynatural.info> is a unique domain name that bears relation to SUNDAY NATURAL, a well-known trademark for branded nutrition supplements. It is obvious that the Respondent had no other purpose than to exploit this repute illegitimately.

RESPONDENT:

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical or confusingly similar to

trademarks 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 interest in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name has been registered and is 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 the UDRP were met and that there is no other reason why it would be inappropriate to provide a decision.

The Panel notes that its résumé of the Parties' contentions includes for the Complainant only its main ones pertinent to reaching a decision in this proceeding; it omits in particular some references to past ADR Panels' Decisions that support these contentions.

PRINCIPAL REASONS FOR THE DECISION

This a clear case of cybersquatting. The Panel FINDS that, in the circumstances as substantiated above, the Respondent’s registration and use of the disputed domain name fall foul of the Policy firstly by composing it at registration to be identical in its stem with the wording of the Complainant’s trademark SUNDAY NATURAL, and secondly by then using the disputed domain name's website to offer it for resale for gain and to advertise specifically nutritional supplements, also for gain – such supplements being what the Complainant has shown it itself chiefly offers online under its protected brand.

The Panel also FINDS that no right or legitimate interest is evident on the Respondent’s behalf. Instead, bad faith intent illegitimately to exploit the rights of another, namely the Complainant, is manifest in the manner of registration and use already described, whereby the offer for resale and the advertising concerned fall under two of the four examples of bad faith use the UDRP sets forth.

In light of the foregoing, the Panel therefore FINDS that all elements of the UDRP cumulative test are met in this case and ORDERS transfer of the disputed domain name to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **sundaynatural.info**: Transferred

PANELLISTS

Name	**Kevin Madders**

DATE OF PANEL DECISION 2025-08-01

Publish the Decision