Decision for dispute CAC-UDRP-107783

Case number	CAC-UDRP-107783
Time of filing	2025-07-30 10:01:59
Domain names	ca-lactallis.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Groupe Lactalis

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Gregory Yellowknee

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 name.

IDENTIFICATION OF RIGHTS

The Complainant owns the registered trademark “LACTALIS” registered worldwide, such as:

Trademark Name	Registration Number	Registration Date
LACTALIS (European)	1529833	November 7, 2002
LACTALIS (International)	900154	July 27, 2006
LACTALIS (International)	1135514	September 20, 2012
LACTALIS (Canadian)	TMA920257	November 16, 2015
LACTALIS (European)	017959526	May 22, 2019

The Complainant also owns a large domain names portfolio, such as the domain name <lactalis.com> registered on January 9, 1999.

FACTUAL BACKGROUND

The Complainant is a French multi-national company founded in 1933. It is in the food industry, particularly in the dairy sector. It is the largest dairy products group in the world, with over 85,500 employees, 266 production sites, and has a presence in 51 different countries. It has operated under the name “LACTALIS” since 1999.

The disputed domain name <ca-lactallis.com> was registered on July 15, 2025 and resolves to a parking page. MX servers appear to have been configured.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is 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).

Whether a disputed domain name is identical or confusingly similar to a trademark can be determined by making a side-by-side comparison with the disputed domain name. See F. Hoffmann-La Roche AG v. P Martin, WIPO Case No. D2009-0323.

A disputed domain name is identical to a complainant’s registered trademark when it is a character-for-character match. It is confusingly similar when it varies the trademark by, for example, adding generic terms to the dominant part of the trademark.

It is also well established that a domain name that wholly incorporates a complainant’s registered trademark may be sufficient to establish confusing similarity for UDRP purposes. See WIPO Case No. D2003-0888, Dr. Ing. h.c. F. Porsche AG v. Vasiliy Terkin.

Here, the Complainant is the owner of the “LACTALIS” trademark, registered across multiple jurisdictions and predates the registration date of the disputed domain name. As such, the Complainant has established its rights in the “LACTALIS” trademark.

The Complainant contends that the disputed domain name is confusingly similar to its "LACTALIS" trademark, as it is wholly included within the domain name. It asserts that the addition of the geographical term “CA” (for Canada) and the letter “L” does not remove the confusing similarity.

The Panel accepts that the purported additions of the geographical term “CA” and the letter “L” to the Complainant’s trademark does not alter the overall impression created by the dominant “LACTALIS” mark.

These changes also do not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trademark, and associated domain names.

It is also trite to state that the addition of the gTLD “.com” does not add any distinctiveness to the disputed domain name and will be disregarded for the purposes of considering this ground. See WIPO Jurisprudential Overview 3.0, 1.1.

Accordingly, the Panel considers that this ground is made out.

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 name (within the meaning of paragraph 4(a)(ii) of the Policy).

A complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests. See Croatia Airlines d.d. v. Modern Empire Internet Ltd, WIPO Case No. D2003-0455. Once such a prima facie case is made, the burden shifts to

the respondent to demonstrate rights or legitimate interests in the domain name. If the respondent fails to do so, paragraph 4(a)(ii) of the Policy is satisfied.

The Complainant contends that the Respondent is not identified in the WHOIS records as the disputed domain name and is therefore not commonly known by it.

Here, the evidence adduced is clear and supports this contention. As such, the Panel accepts that the respondent is not commonly known by the disputed domain name.

The Complainant also contends that the Respondent is not affiliated with nor authorised by the Complainant in any way, nor has the Complainant carried out any activity for, or conducted business with, the Respondent. The Complainant has not granted any licence or authorisation to the Respondent to make use of the “LACTALIS” trademark or to apply for registration of the disputed domain name.

The Respondent has not filed any administrative compliant response.

As such, this contention is unrefuted, and the Panel finds there is no affiliation between the Complainant and Respondent that would give rise to any authorisation or licence to use the Complainant’s “LACTALIS” trademark or to apply for the registration of the disputed domain name.

The Complainant also adduced evidence that shows that the disputed domain name resolves to a parking page, confirming that the Respondent has made no use of the domain name and has no demonstrable plan to use it.

The Panel finds that the Respondent’s lack of content at the disputed domain shows the lack of a bona fide offering of goods or services or a legitimate non-commercial or fair use.

The inference to be drawn from these circumstances is that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Accordingly, the Panel finds this ground made out.

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown 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).

The Complainant must demonstrate that the disputed domain name was registered and is being used in bad faith.

At the outset, the Panel accepts the uncontradicted evidence of the Complainant’s already-known brand, its international trademark registration in several countries, its global presence and worldwide reputation as a leading producer of dairy products.

The Complainant makes the following contentions:

- The disputed domain name is confusingly similar to the Complainant's “LACTALIS” trademark, which is distinctive, well known, and protected in several countries prior to the date of registration.
- The Complainant is a leader in the dairy industry with a strong international reputation and operates in Canada via its subsidiary, Lactalis Canada, using official addresses such as “...@ca.lactalis.com”.
- Past cases confirm the well-known character of the “LACTALIS” trademark.
- The addition of the country code “CA” to a typo-squatted variant of the “LACTALIS” trademark strongly suggests targeted intent, especially considering the Complainant’s Canadian operations.
- The disputed domain name resolves to a parking page, with no evidence of legitimate activity, and it is inconceivable that any actual or contemplated use would be legitimate.
- MX records have been configured for the domain, suggesting possible email use, which cannot be considered bona fide and further indicates bad faith.

Given the evidence adduced and the failure by the Respondent to file any administrative compliant response, the Panel is prepared to draw the inference that the Respondent was fully aware of the Complainant's “LACTALIS” trademark and its rights at the time of registration and intentionally sought to take advantage of the Complainant’s international reputation and goodwill.

The Respondent’s failure to provide any credible explanation or legitimate use leads the Panel to find that the disputed domain name was registered and is being used in bad faith.

Accordingly, the Panel accepts that the disputed domain name was registered by the Respondent and used in bad faith.

PROCEDURAL FACTORS

When forwarding a Complaint, including any annexes, electronically to the Respondent, paragraph 2 of the Rules states that CAC

shall employ reasonably available means calculated to achieve actual notice to the Respondent.

Paragraphs 2(a)(i) to (iii) set out the sort of measures to be employed to discharge CAC's responsibility to achieve actual notice to the Respondent.

On August 22, 2025 the CAC by its non-standard communication stated as follows (omitting irrelevant parts):

"CAC notified the Respondent about the administrative proceeding via available means of communication: email notification and written notice.

Please be aware that neither the written notice of the Complaint nor the advice of delivery thereof was returned to the Czech Arbitration Court. The CAC is therefore unaware if the written notice was received by the Respondent or not.

No other address for correspondence was found on the disputed domain name.

As far as the e-mail notice is concerned, CAC received a confirmation that the e-mail notice sent to <postmaster@ca-lactallis.com> was returned back undelivered as the e-mail address had permanent fatal errors.

The e-mail notice was also sent to <gregoryyellowknee633@gmail.com>, but CAC never received any proof of delivery or notification of non-delivery.

No further e-mail address could be found on the disputed site.

The Respondent never accessed the online platform."

Given the reasonable measures employed by CAC as set out in the above non-standard communication, 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 Complainant owns the trademark "LACTALIS", registered worldwide across multiple jurisdictions, as well as a portfolio of domain names including <lactalis.com> used in connection with its goods and services.

The Respondent registered the disputed domain name on July 15, 2025, after the registration of the Complainant's trademark and its principal domain names.

The Complainant challenges the registration of the disputed domain name under paragraph 4(a) of the Uniform Domain Name Dispute Resolution Policy, seeking transfer of the disputed domain name.

The Respondent failed to file any administrative compliant response.

For the reasons articulated in the Panel's findings above, the Panel is satisfied that:

- The disputed domain name is confusingly similar to the Complainant's trademark "LACTALIS".
- The Respondent has no rights or legitimate interests in respect of the disputed domain name.
- The disputed domain name has been registered and is being 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. **ca-lactallis.com**: Transferred

PANELLISTS

Name	**William Lye OAM KC**

DATE OF PANEL DECISION 2025-08-27

Publish the Decision