Decision for dispute CAC-UDRP-107772

Case number	CAC-UDRP-107772
Time of filing	2025-08-07 09:24:00
Domain names	arlapro.info

Case administrator

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

Complainant

Organization	Arla Foods Amba

Complainant representative

Organization	Abion GmbH

Respondent

Name	wu qing ru

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 is the owner of the ARLA, and ARLA PRO trade marks, which are used in relation with, inter alia, agricultural products and related products.

The Complainant has numerous trademark registrations for ARLA and ARLA PRO including the following:

- International trademark registration No. 731917 (ARLA), registered on March 20, 2000;
- International trademark registration No. 990596 (ARLA), registered on September 8, 2008; and
- European Union trademark registration No. 018031231 (ARLA), registered on September 9, 2019;
- European Union trademark registration No. 018686542 (ARLA PRO), registered on August 27, 2022; and

- United Kingdom trademark registration No. UK00003777311 (ARLA PRO) registered on August 2, 2022.

The International registrations include designations of China.

The Complainant is the owner of various domain names, including these:

- <arla.com> registered on July 15, 1996;
- <arlapro.uk> registered on July 2, 2019;
- <arlapro.com> registered on July 15, 2005; and
- <arlapro.cn> registered on June 7, 2017.

The Respondent registered the disputed domain name on December 30, 2024. As at the time of filing the Complaint, the disputed domain name resolved to a Godaddy webpage, where it was offered for sale for USD950.

FACTUAL BACKGROUND

The Complainant is a cooperative owned by more than 12,500 dairy farmers and is one of the largest dairy companies in the world. Established in 2000 with the merger of MD foods and Arla ekonomisk Förening, the Complainant now has around 21,895 employees and had a global revenue of around €13.8 billion in 2024.

The Complainant states that its products are easily recognized by consumers around the world due to the significant investments made by the Complainant in promoting its products and brands, and offering high quality products. Its products are sold under brands such as ARLA, LURPAK, CASTELLO, and APETINA, amongst others.

The Complainant also operates Arla Pro, its foodservice division, which supplies professional kitchens with high quality dairy products tailored for chefs, restaurants, and catering businesses. Arla Pro enjoys a strong presence globally, including in China.

The Complainant has a strong online presence through its official website, and its social media platforms.

The Respondent is wu qing ru of huai yin qu huang he dong lu yi he hua yuan B qu 12 dong, huai an shi, 223000, China.

The disputed domain name resolved to a GoDaddy.com parking page listing the disputed domain name for sale.

On May 26, 2025, the Complainant sent a cease-and-desist letter to the Respondent and the Registrar through the contact forms provided on the WhoIs records. Reminders were sent on June 5, 2025 and June 11, 2025 but no response was received.

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 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 name (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 name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Uniform Domain Name Dispute Resolution Policy (the "Rules"), paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English for these reasons:

- The disputed domain name includes the Complainant's trade mark ARLA PRO. The term "pro" is a common English abbreviation for "professional".
- The disputed domain name is comprised of Latin script, and incorporate English terms, including the generic Top Level Domain ("gTLD") ".info", which is the English abbreviation for "information".
- The Respondent has been involved in prior UDRP proceedings concerning domain names containing English-language terms all involving the same Registrar, with proceedings conducted in English rather than Chinese.
- The Complainant faces difficulty with the default language, and requiring a translation of the Complaint would impose an undue burden and risk unnecessary delay.

The Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the language/script of the domain name particularly where the same as that of the complainant's mark, potential unfairness or unwarranted delay in ordering the complainant to translate the complaint, and evidence of other respondent-controlled domain names registered, used, or corresponding to a particular language, (see section 4.5.1 WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0").

Having considered the circumstances of this case including the composition of the disputed domain name which contains the English terms "pro" and ".info", the Panel determines that the language of the proceeding shall be English. There does not appear to be any reason which warrants a delay and additional expense in ordering the Complainant to translate the Complaint.

Other procedural matters

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

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a complainant to show that a domain name is identical or confusingly similar to a trade mark or service mark in which the complainant has rights.

A registered trade mark provides a clear indication that the rights in the mark shown on the trade mark certificate belong to its respective owner. The Complainant has provided evidence that it owns registered trademark rights in ARLA and ARLA PRO.

In this case, the disputed domain name comprises the entirety of the Complainant's ARLA PRO trade mark with no alterations. The disputed domain name is therefore identical to the ARLA PRO trade mark in which the Complainant has rights.

Consequently, the Panel finds that the Complainant has shown that the disputed domain name is identical to a trade mark in which the Complainant has rights.

B. Rights or Legitimate Interests

Once a complainant establishes a prima facie case that the respondent lacks rights or legitimate interests in the disputed domain name, the burden of production shifts to the respondent to show that it has rights or legitimate interests in respect to the disputed domain name (see WIPO Overview 3.0, section 2.1).

In the present case, the Complainant has demonstrated a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name and the Respondent has failed to assert any such rights or legitimate interests.

The Complainant has provided evidence that it owns registered trademark rights in ARLA and ARLA PRO long before the date that the disputed domain name was registered. Further, there is no evidence that the Respondent was licensed or otherwise authorized by the Complainant to use the Complainant's ARLA and/or ARLA PRO trade marks or that the Respondent is commonly known by the disputed domain name.

At the time of the filing of the Complaint, the disputed domain name resolved to a GoDaddy webpage where it is offered for sale for the sum of USD950. Such use of the disputed domain name cannot be considered to give rights or legitimate interests to the Respondent. There is no evidence that the Respondent is making a legitimate non-commercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trade mark. The WIPO Overview 3.0 at section 2.5.1 also states that "Generally speaking, UDRP panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation".

The Respondent did not submit a Response in the present case to the Complaint or cease-and-desist letter and did not provide any explanation or evidence to show he has rights or legitimate interests in the disputed domain name which would be sufficient to rebut the Complainant's prima facie case.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

The Complainant must also show that the respondent registered and is using the disputed domain name in bad faith (see Policy, paragraph 4(a)(iii)). Paragraph 4(b) of the Policy provides circumstances that may evidence bad faith under paragraph 4(a)(iii) of the Policy.

This appears to be a typical case of cybersquatting. The disputed domain name reproduces the well-known ARLA PRO trade mark in its entirety with no alterations. It is not plausible that the Respondent was unaware of the Complainant and its trade mark when he registered the disputed domain name. Panels have found that the mere registration of a domain name that is identical or confusingly similar to a widely-known trade mark by an unaffiliated entity can by itself create a presumption of bad faith. (See WIPO Overview 3.0, section 3.1.4.).

Taking into account the totality of the circumstances in this case, the Panel finds that the disputed domain name has been registered and used in bad faith.

The Panel notes that the Respondent did not reply to the Complainant's cease-and-desist letter, from which the Panel also draws an inference of the Respondent's bad faith.

Accordingly, having regard to the circumstances of this particular case, the Panel finds that the Complainant has met its burden under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arlapro.info**: Transferred

PANELLISTS

Name	**Francine Tan**

DATE OF PANEL DECISION 2025-09-16

Publish the Decision