Decision for dispute CAC-UDRP-107917

Case number	CAC-UDRP-107917
Time of filing	2025-09-04 10:35:07
Domain names	arlalogistics.com, arlalogstics.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Arla Foods Amba

Complainant representative

Organization	Abion GmbH

Respondent

Organization	Alralogistics

OTHER LEGAL PROCEEDINGS

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

IDENTIFICATION OF RIGHTS

According to the submitted evidence, the Complainant owns, among many others, the following Trademarks:

- International trademark for ARLA (word mark), Reg. No. 731917, registered on March 20, 2000, and in force until March 20, 2030, in International Classes ("ICs") 1, 5, 29, 30, 31, and 32;

- European trademark for ARLA (word mark), Reg. No. 001520899, registered on May 7, 2001, and in force until February 24, 2030, in ICs 1, 5, 29, 30, 31, and 32;

- United Kingdom trademark for ARLA (word mark), Reg. No. UK00918031231, filed on March 5, 2019, granted on September 6, 2019, and in force until March 5, 2029, in ICs 1, 5, 9, 16, 29, 30, 32, 35, 39, 41, 42, 43, 44, and 45;

The disputed domain names <**arlalogistics.com**> and <**arlalogstics.com**> were both registered on **May 19, 2024**, and resolve to an inactive "coming soon" website.

FACTUAL BACKGROUND

The Complainant is a Danish dairy company with worldwide presence, including in the United Kingdom, founded in 2000, and a

cooperative owned by more than 12,500 dairy farmers. The Complainant employs around 21,895 full-time employees and reached a global revenue of EUR 13,8 billion for the year 2024.

The Complainant has a worldwide presence, and also, among others, sells its milk-based products under the following brands: ARLA, LURPAK, CASTELLO, and APETINA.

The Complainant is also active in the transportation and logistics sector, enabling sustainable practices, optimizing delivery routes, and exploring innovative biofuels to power its trucks, as part of its climate strategy.

The Complainant also owns numerous domain names containing the trademark ARLA, used for official website purposes, among them: <arla.com> registered on July 15, 1996; <arla.ph> registered on August 31, 2001; <arla.eu> registered on June 1, 2006.

PARTIES CONTENTIONS

Response

The Respondent did not reply to any of the Complainant's contentions.

Complainant Contentions:

- The Complainant contends that the disputed domain names are confusingly similar to the Complainant's trademark ARLA. That the trademark ARLA is clearly recognizable within the disputed domain names; that the mere addition of the terms 'logistics" and 'logstics' (misspelled version of the term 'logistics' by omitting the letter "i") would not prevent a finding of confusing similarity to the Complainant's trademark ARLA.

- The Complainant asserts that the Respondent has no rights on the disputed domain names; that the Complainant has not licensed or authorized the Respondent to register or use the disputed domain names, nor is the Respondent affiliated with the Complainant in any form, nor has endorsed or sponsored the Respondent; that there is no evidence that the Respondent is not commonly known by the disputed domain names terms "arla logistics", "arlalogistics", "arla logstics", "arlalogstics"; nor the Respondent "Adam Ray" owns trademarks under its name; that the term 'logistics" it is relevant to the Complainant, therefore it reflects a false association between the Complainant and the Respondent.

  On May 27, 2025, the Complainant sent a Cease-and-Desist Letter to the Respondent, including reminders. Nothing in the record suggests any response from the Respondent, with it implying bad faith.

  The Complainant contends that the disputed domain names are thus being passively held; that there is no evidence showing that the Respondent has been using, or preparing to use, the disputed domain names in connection with a bona fide offering of goods and services or has made a legitimate non-commercial or fair use of them.

The Complainant contends that in similar circumstances, it has been decided that when: "the Respondent has failed to make use of the resolving website and has not demonstrated any attempt to make legitimate use of the disputed domain name and website. Such conduct evinces a lack of rights or legitimate interests in the disputed domain name and thus, is not making a legitimate non-commercial or fair use of the disputed domain name" (citing Skandinaviska Enskilda Banken AB v. Nick Jones, WIPO Case No. D2021-0703 and ArcelorMittal (Société Anonyme) v. Registration Private, Domains By Proxy, LLC / Joel Tinoco, Pixel Design Costa Rica, WIPO Case No. D2021-0909).

- The Complainant contends that the disputed domain names have been registered and are being used in bad faith, given that ARLA is a widely known trademark, registered in many countries, including the UK, which enjoys a strong online presence, including on Social Media platforms (Facebook and Twitter); that it is inconceivable that at the time of their registrations the Respondent did not know of the Complainant and its ARLA trademark.

  The Complainant contends that the disputed domain names are thus passively held, which would not prevent a finding of bad faith under the Policy; that there is no evidence of any actual or contemplated good-faith use of the disputed domain names (citing Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003; British Airways Plc. v. David Moor, WIPO Case No. D2006-1224 and Boehringer Ingelheim Pharma GmbH & Co.KG v. Raju Khan, CAC Case No. 101517).

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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

In accordance with Paragraph 4(a) of the Policy, the onus is on the complainant to prove:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;

(ii) the respondent has no rights or legitimate interests in respect of the domain name; and

(iii) the domain name has been registered and is being used in bad faith.

The Panel will consider each of these requirements in turn.

Identical or Confusingly Similar

Concerning the First Element of the Policy, the Complainant has sufficiently proved before the Panel that it owns trademark Rights over the term ARLA.

The disputed domain names exactly reproduce the widely known trademark ARLA, along with the terms ‘logistics' and ‘logstics’, additions which do not avoid a finding of confusing similarity (see Arla Foods Amba v. Michael Olia, CAC UDRP- 107838).

Concerning the use of a trademark in the disputed domain name plus other terms, Section 1.8 of the WIPO Overview 3.0 has stated:

> “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. The nature of such additional term(s) may, however, bear on assessment of the second and third elements.” (underline added).

Regarding the generic Top-Level Domain “.com”, it may be disregarded (see Section 1.11.1 of the WIPO Overview 3.0).

Therefore, the Panel finds that the first element of the Policy has been established.

Rights or Legitimate Interests

Concerning the Second Element of the Policy, to this Panel it is clear that:

(1) The Respondent is not associated or affiliated or authorized, or licensed by the Complainant to register any of the disputed domain names;

(2) There is no favorable evidence towards the Respondent concerning the composition of the disputed domain names, by: a widely known and respected trademark as ARLA, plus the addition of ‘logistics’ and ‘logstics’ (misspelled version of the term ‘logistics’). A term that is connected with the Complainant’s transportation logistics activities;

(3) There is no evidence that the Respondent corresponds or has become commonly known by the terms “arlalogistics.com” and “arlalogstics.com”;

(4) Nothing in the record suggests or infers any fair or non-commercial use of the disputed domain names, which have remained inactive, under a “coming soon” landing page;

(5) The Respondent did not reply to the Complainant’s Cease and Desist Letter of May 27, 2025, or any of its reminders, explaining and/or providing evidence about his rights or legitimate interests in the disputed domain names.

According to the evidence submitted before the Panel, the Complainant has made out its prima facie case, and the Respondent did not submit any response or any communication during the entire proceeding rebutting the Complainant's arguments.

Therefore, the Panel finds that the second element of the Policy has been established.

Registered and Used in Bad Faith

Registration in Bad Faith:

Having reviewed the evidence provided in this case, by the time the Respondent registered the disputed domain names, the Complainant had already established its trademark Rights over the term ARLA, including in the UK, i.e., ARLA, Reg. No. UK00918031231, since 2019. The Panel also notes that ARLA is a widely known trademark, with global/active presence, including physically in the UK.

Furthermore, to this Panel, the compositions of the disputed domain names are certainly not coincidental, in particular given the nature and worldwide presence of the Complainant's business activity. Therefore, to this Panel, it is clear that the Respondent had knowledge of the Complainant and registered the disputed domain names based on the Complainant's business activities (transportation and logistics) and its widely known and respected trademark ARLA (see Section 3.2.2 of the WIPO Overview 3.0 and Arla Foods Amba v. wu qing ru, CAC-UDRP 107772).

Use in Bad Faith:

In this case, according to the evidence provided by the Complainant, the disputed domain names have remained inactive under a "coming soon" website. Concerning the Passive Holding Doctrine, among multiple panelists' Decisions, and in particular, under Section 3.3 of the WIPO Overview 3.0, which states that:

> "From the inception of the UDRP, panelists have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding.
>
> While panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include:
>
> (i) the degree of distinctiveness or reputation of the complainant's mark,
>
> (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use,
>
> (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and
>
> (iv) the implausibility of any good faith use to which the domain name may be put."

In this case, the Complainant has proved that:

(i) ARLA is a widely known trademark that enjoys distinctiveness and a strong reputation, including in the UK market, across Europe, the Middle East and North Africa, North America, and many other countries;

(ii) the Respondent failed to submit any communication and/or a Response, including to the Complainant's Cease and Desist Letter of May 27, 2025;

(iii) the disputed domain names have remained passively held, under "coming soon" websites, and with it, representing an open gate to any form of trademark abuse, and/or illegal activity on the Internet.

The Panel finds that the Complainant has established the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arlalogistics.com**: Transferred
2. **arlalogstics.com**: Transferred

PANELLISTS

Name	**María Alejandra López García**

DATE OF PANEL DECISION 2025-10-02

Publish the Decision