Decision for dispute CAC-UDRP-107934

Case number	CAC-UDRP-107934
Time of filing	2025-09-11 11:45:19
Domain names	global-lurpak.store

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Arla Foods Amba

Complainant representative

Organization	Abion GmbH

Respondent

Name	Sabin Budhathoki AutoDS customer

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 numerous trademark registrations for LURPAK, including but not limited to:

- MX Trademark registration for LURPAK, No. 804614, registered on 15 August 2003.
- International Trademark registration for LURPAK, No. 1167472A, registered on 30 October 2012.
- EU Trademark registration for LURPAK, No. 010657385, registered on 29 June 2012.
- US Trademark registration for LURPAK, No. 79132942, registered on 10 June 2014.

The Complainant also owns numerous domain names containing the trademark LURPAK, among them: <lurpak.com> (registered on 31 October 1996), <lurpak.eu> (registered on 20 April 2006), <lurpak.ru> (registered on 4 October 2009). These domain names resolve to the Complainant's official websites, which inform Internet users and potential consumers about the LURPAK brand, its products, and related services.

FACTUAL BACKGROUND

The Complainant is the fifth-largest dairy company in the world and a cooperative owned by more than 7,600 dairy farmers and 21,895 employees. The Complainant was incorporated in 2000, when the largest Danish dairy cooperative, MD Foods, merged with its Swedish counterpart, Arla ekonomisk Förening. The Complainant employs around 20,900 full-time staff and achieved global

revenue of EUR € 13.770 billion for the year 2024, with a profit of EUR € 417 million.

The Complainant's products are widely recognised by consumers worldwide as a result of sustained investment in promoting its brands and the consistent delivery of high-quality goods. It sells milk-based products under its well-known ARLA trademark, as well as under other well-known marks such as **LURPAK**, CASTELLO, and APETINA.

The Complainant is also of the view that it enjoys a strong global and online presence via its official websites and social media channels. Owing to extensive use, advertising, and revenue associated with its trademarks worldwide, the Complainant believes it enjoys a high degree of renown.

LURPAK is one of the world's most famous butter brands and among the Complainant's most valuable assets. In 2024, LURPAK achieved revenue growth of 8.4% to €837 million (2023: €772 million), with volume-driven revenue increasing by 5.6% (2023: 0.8%). Growth reflected successful strategic initiatives and brand strength, led by European markets (+6.7%) and supported by the launch of Lurpak Plant Based.

The Complainant owns numerous LURPAK trademarks registered many years before the Disputed Domain Name was created on 5 June 2025.

The Disputed Domain Name <global-lurpak.store> incorporates the Complainant's **LURPAK** trademark in its entirety in the second-level portion, merely preceded by the term "global", thereby in the view of the Complainant suggesting an association between the Complainant and the global presence of its **LURPAK** brand.

The presence of the generic top-level domain ("gTLD") ".store" is a standard registration requirement and may be disregarded when assessing confusing similarity to a trademark in which the Complainant has rights. Moreover, the string as a whole reads in English as a "global **LURPAK** store", which heightens in the view of the Complainant the likelihood of confusion between the Complainant's trademark and the Disputed Domain Name.

The Disputed Domain Name was registered on 5 June 2025, more than two decades after the Complainant first secured registrations for its **LURPAK** tardemarks.

The Complainant states that it has not licensed or authorised the Respondent to register or use the Disputed Domain Name. The Respondent is not affiliated with the Complainant in any way, and the Complainant has not endorsed or sponsored the Respondent or the Respondent's website.

There is no evidence that the Respondent is commonly known by the Disputed Domain Name or that it owns any corresponding registered trade mark comprising the string "global-lurpak.store".

The Complainant learned of the registration of the Disputed Domain Name and sent a cease and desist letter on 7 January 2025.

At the time of filing, the Disputed Domain Name resolved to a non-functional online shop on Shopify, a well-known e-commerce platform. Although limited in functionality, the site was configured in a way likely to mislead consumers and to tarnish the Complainant's well-known LURPAK brand. The domain name also had active MX records, enabling email to be sent from the domain and facilitating impersonation of the Complainant, conduct amounting to DNS abuse and infringement of the Complainant's intellectual property rights.

There is in the view of the Complainant no evidence that the Respondent has used the Disputed Domain Name in connection with a bona fide offering of goods or services, or that it has made a legitimate non-commercial or fair use of the Disputed Domain Name. On the contrary, the evidence indicates that the domain name has been used as a pretext for the Respondent's commercial gain to the Complainant's detriment.

The Complainant states that given that LURPAK is an invented term with no dictionary meaning, it is not conceivable that the Respondent would have registered the Disputed Domain Name for any purpose unrelated to the Complainant or its LURPAK trademark.

The Complainant sent a cease and desist letter on 1 July 2025 via the Registrar's abuse email address. The Registrar confirmed that the letter was forwarded to the Respondent, but the Respondent did not reply. The Respondent has been given several opportunities to present any compelling arguments that it has rights or legitimate interests in the Disputed Domain Name and has failed to do so. This conduct, coupled with the absence of any use of the Disputed Domain Name in connection with a bona fide offering of goods or services, further demonstrates the Respondent's lack of rights or legitimate interests. The Registrar subsequently suspended the domain name for breach of its terms and conditions.

The Respondent registered the Disputed Domain Name many years after the Complainant first secured registrations for its LURPAK trademark. The LURPAK trademark is registered in many countries worldwide and the Complainant enjoys a strong online presence. The Complainant is also highly active on social media (e.g., Facebook, Twitter, Instagram) to promote its marks, products, and services. The Complainant has approximately 1.3 million followers on Facebook.

By conducting a simple online search for "global-lurpak.store" or "LURPAK", the Respondent would inevitably have learned of the Complainant, its trademark, and its business, as the top results point to the Complainant.

The Complainant believes that LURPAK is one of the world's most famous butter brands. It is therefore inconceivable that the Respondent was unaware of the Complainant when registering the Disputed Domain Name. The Respondent clearly had the

Complainant and its trademark in mind at the time of registration.

At the time the decise and desist letter was sent the Disputed Domain Name did not resolve to any website, but it had active MX records enabling email to be sent from the domain. This in the view of the Complainant significantly increased the risk of phishing, as recipients would likely be misled into believing that emails sent from addresses such as *@global-lurpak.store originated from the Complainant. This risk is heightened because the Disputed Domain Name wholly incorporates the Complainant's well-known LURPAK trademark.

The Complainat states, that Panels have held that "the establishment of MX records for a domain name is a use of it.

Moreover, the Complainant attempted to contact the Respondent by sending a cease and desist letter. The Respondent chose not to reply, which panels have considered indicative of bad faith.

Finally the Complainant states, that it is clear that the Respondent's contact information is false or incomplete by disclosing as "Default Address, City, State, United States 10001, phone +1.111111111111". UDRP panels have consistently found that the use of false registration data in connection with a disputed domain name supports a finding of bad faith registration and use.

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).

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

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

1. Identical or Confusingly Similar

The Complainant has demonstrated registered rights in the LURPAK trademark.

The Disputed Domain Name <global-lurpak.store> incorporates the Complainant's trademark LURPAK in its entirety, preceded only by the descriptive term "global" and followed by the generic top-level domain ".store".

As consistently held in UDRP decisions, the addition of a descriptive or geographical term (such as "global") does not avoid a finding of confusing similarity (see Rollerblade, Inc. v. Chris McCrady, WIPO Case No. D2000-0429). Likewise, the gTLD ".store" is a standard registration requirement and is disregarded in this assessment (Sanofi v. Aamir Hitawala, WIPO Case No. D2021-1781).

The Panel therefore finds that the disputed domain name is confusingly similar to the Complainant's trademark LURPAK and that

Paragraph 4(a)(i) of the Policy is satisfied.

2. Rights or Legitimate Interests

The Complainant has made out a prima facie case that the Respondent lacks rights or legitimate interests.
The Complainant has not authorized or licensed the Respondent to use its trademark or register the Disputed Domain Name. There is no evidence that the Respondent is commonly known by the name “LURPAK” or that it owns any corresponding trademark rights.

At the time of filing, the Disputed Domain Name resolved to a non-functional Shopify storefront purporting to sell goods, which could mislead consumers as to an affiliation with the Complainant. Furthermore, the presence of MX records enables potential email misuse, further undermining any claim of legitimate interests.

In the absence of a Response, the Respondent has failed to rebut the Complainant’s prima facie case.

The Panel finds that the Respondent has no rights or legitimate interests in the Disputed Domain Name and that Paragraph 4(a)(ii) of the Policy is satisfied.

3. Registered and Used in Bad Faith

The Complainant’s LURPAK mark is well-known internationally and predates the registration of the Disputed Domain Name by over two decades. It is implausible that the Respondent was unaware of the Complainant and its mark when registering the Disputed Domain Name.

The composition of the Disputed Domain Name — “global-lurpak.store” — directly refers to the Complainant’s global product line and creates a false impression of official affiliation. Such selection is inherently opportunistic and indicative of bad faith (see Intesa Sanpaolo S.p.A. v. Abayomi Ajileye, CAC Case No. 102396).

Moreover, the Disputed Domain Name was configured with active MX records, which can facilitate email-based phishing or fraud. Panels have recognized that such configuration may itself constitute bad faith use (bioMérieux v. Registration Private, Domains By Proxy, LLC / Milton Bardmess, WIPO Case No. D2020-3499).

The Respondent’s use of false contact details (“Default Address, City, State, United States 10001”) further supports a finding of bad faith (see World Market Management Services, LLC v. Rupert Pearl, WIPO Case No. D2024-0371).

Finally, the Respondent’s failure to respond to the Complainant’s cease and desist letter and to these proceedings reinforces this conclusion (see International Business Machines Corporation v. Adam Stevenson, WIPO Case No. D2016-1695).

The Panel therefore finds that the Disputed Domain Name was registered and is being used in bad faith under paragraph 4(a)(iii) of the Policy.

Finding: Paragraph 4(a)(iii) of the Policy is satisfied.

4. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Disputed Domain Name be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **global-lurpak.store**: Transferred

PANELLISTS

Name	**Jan Schnedler**

DATE OF PANEL DECISION 2025-10-17

Publish the Decision