Decision for dispute CAC-UDRP-107957

Case number	CAC-UDRP-107957
Time of filing	2025-09-23 09:30:02
Domain names	lactaliseswatini.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Groupe Lactalis

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Kwanele Gamedze

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 several trademarks consisting in the wording LACTALIS in several countries, among them the European Union trademark LACTALIS n° 001529833 in classes 1, 5, 10, 13, 16, 31, 33, 34, 40, 42 registered since November 11, 2002, and in effect.

FACTUAL BACKGROUND

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

The website under the disputed domain name resolves to an authentication page reproducing the Complainant’s trademark.

The disputed domain name was registered on August 29, 2025.

PARTIES CONTENTIONS

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant, inter alia, contends, that the domain name contains in its entirety the Complainant´s mark LACTALIS. The Respondent has no legitimate interest in the domain name in question, since he bears another name and was never authorised to use the trademark of the Complainant. The domain name in question has been both acquired and is being used in bad faith as the Complainant was well known already at the time of the registration of the disputed domain name and the website under the disputed domain name contains the trademark of the Complainant.

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

In order to succeed in its claim, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied:

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

(ii) The Respondent has no rights or legitimate interests with respect to the domain name; and

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

A. Identical or Confusingly Similar

The Complainant has established the fact that it has valid trademark rights for „LACTALIS“ in several countries.

The disputed domain name is confusingly similar to the distinctive LACTALIS marks of the Complainant since the addition of the geographical term „eswatini“, a state in the south of Africa, at the end of the 2nd level domain name does not prevent a finding of a sufficient confusing similarity.

The Panel therefore considers the domain name to be confusingly similar to the trademark „LACTALIS“, in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

The Respondent has no rights in the disputed domain name since the Respondent was not authorised by the Complainant to use its trademarks. Furthermore, the Respondent has no legitimate interest in the domain name since there is no indication that the Respondent is commonly known by the name “LACTALIS” nor that the Respondent is using the domain name in connection with a bona fide offering of related goods or services since the website under the disputed domain name creates the impression that it is a

portal for Complainant´s customers to log in which is not the case.

The Panel therefore finds that the respondent does not have rights or legitimate interests in the domain name.

C. Registered and Used in Bad Faith

The Panel follows the assessment of the panel in the decision Groupe Lactalis v. paul goodrich WIPO Case No. D2022-2429 that the trademark LACTALIS can be considered as a well-known trademark, based on the evidence provided also in the present case.

Furthermore, the disputed domain name resolves to an authentication page reproducing the Complainant's trademark. Therefore, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial purposes, internet users to its website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of its website. In addition, the Respondent may collect personal information through this website, including passwords.

The Panel therefore considers the disputed domain name to have been registered and used in bad faith in accordance with 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. **lactaliseswatini.com**: Transferred

PANELLISTS

Name	**Dietrich Beier**

DATE OF PANEL DECISION 2025-10-22

Publish the Decision