Decision for dispute CAC-UDRP-108072

Case number	CAC-UDRP-108072
Time of filing	2025-10-29 14:15:50
Domain names	alrla.com

Case administrator

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

Complainant

Organization	Arla Foods Amba

Complainant representative

Organization	Abion GmbH

Respondent

Name	Abdullah Ghubn

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 Complaint is based on the following trademark registrations for ARLA:

- European Union Trademark registration ARLA No. 018031231, registered on September 6, 2019 for goods and services in classes 1, 5, 9, 16, 29, 30, 32, 35, 39, 41, 42, 43, 44 and 45;
- International Trademark registration ARLA No. 731917, registered on March 20, 2000 for goods in classes 1, 5, 29, 30, 31 and 32.

FACTUAL BACKGROUND

It results from the Complainant's documented allegations, which remained uncontested, that:

- the disputed domain name originally resolved to GoDaddy.com parking page inviting users to fill out a form in order to purchase the disputed domain name;
- the Complainant then sent a cease and desist letter on June 5, 2025;
- at the time of filing the Amended Complaint, the disputed domain name resolves to a parking page displaying the message “This domain is registered, but may still be available”, and offering visitors the possibility to “Get this domain” by submitting a purchase inquiry through GoDaddy’s platform. When clicking on the “Get this domain” button, the website redirects to a

GoDaddy.com sales page indicating that the Disputed Domain Name is taken, but may be acquired for a fee of USD 111,99.

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.

The disputed domain name contains the Complainant's trademark <ARLA> entirely and merely adds an additional "l" at the second place (<alrla>). The Panel sees this addition as a common misspelling. For purposes of the first element Panels widely consider domain names which consist of a common, obvious, or intentional misspelling of a trademark to be confusingly similar to the relevant mark.

2.

In the absence of any Response, or any other information from the Respondent indicating the contrary, the Panel further holds that the Complainant successfully presented its prima facie case and that the Respondent has no rights or legitimate interests in respect of the disputed domain name pursuant to paragraph 4(a)(ii) of the Policy.

In particular, the Panel notes that there is no evidence in the record that could lead the Panel to conclude that the Respondent might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

In addition, it results from the Complainant’s uncontested evidence that the Respondent has no connection or affiliation with the Complainant who has not granted the Respondent any license or consent, express or implied, to use the Complainant’s trademark in domain names or in any other manner.

Furthermore, use of the disputed domain name for a registrar parking page with commercial content excludes any noncommercial use in the sense of paragraph 4(c)(iii) of the Policy from the outset.

Finally, said use for commercial web content does - in the Panel's view - not represent a bona fide offering (pursuant to paragraph 4(c)(i) of the Policy). This use rather capitalizes on the reputation and goodwill of the Complainant’s marks.

3.

Finally, the Panel finds that the disputed domain name has also been registered and is being used in bad faith, paragraph 4(a)(iii) of the Policy.

It results from the evidence before the Panel that the Respondent registered the disputed domain name primarily for the purpose of selling it to the Complainant or any other third party for valuable consideration in excess of the documented out-of-pocket costs directly related to the domain name. In fact, the documented purchase price of 111,99 USD exceeds the out-of-pocket costs of a <.com> domain name.

The Panel further considered the following additional relevant factors for the finding of bad faith registration and use:

- the disputed domain name resolving to a parking page with commercial pay-per-click-links;
- the failure of the Respondent to reply to the C&D letter sent by the Complainant before starting the present UDRP proceedings;
- the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good faith use;
- the implausibility of any good faith use to which the disputed domain name may be put.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **alrla.com**: Transferred

PANELLISTS

Name	**Tobias Malte Müller**

DATE OF PANEL DECISION 2025-12-11

Publish the Decision