Decision for dispute CAC-UDRP-108186

Case number	CAC-UDRP-108186
Time of filing	2025-11-28 10:34:25
Domain names	uslactalis.cam

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Groupe Lactalis

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Nowak Dental Supplies

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 trademark registrations consisting of the word **"LACTALIS"**, either alone or combined with a figurative element encircling the word, including, inter alia:

- The European Union trademark LACTALIS No. 1529833 (word) registered on November 7, 2002;
- The International trademark LACTALIS No. 900154 registered on July 27, 2006 designating inter alia Norway and Switzerland;
- The International trademark LACTALIS No. 1135514 registered on September 20, 2012 designating inter alia Australia, Turkey and Switzerland;
- The European Union trademark LACTALIS No. 17959526 registered on May 22, 2019;
- The US trademark LACTALIS No. 6824877 registered on August 23, 2022;
- The US trademark LACTALIS No. 6933510 registered on December 27, 2022.

(collectively, the **"LACTALIS Trademarks"**).

The Panel has confirmed the validity of the LACTALIS Trademarks by consulting the appropriate online trademark registries and databases.

FACTUAL BACKGROUND

The Complainant is a French multinational active in the dairy industry and operating under the name “Lactalis” since 1999. It states that LACTALIS is the world’s largest dairy products group, with over 85,500 employees, 266 production sites, and operations in 51 countries, and that it maintains a presence in the United States, including through websites such as https://lactalisamericangroup.com/ and https://lactalisyogurtusa.com/.

The Complainant also operates its website at the domain name <lactalis.com>, which has been registered since 1999.

The disputed domain name <uslactalis.cam> was registered on 19 November 2025.

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

Rights

The Complainant has successfully demonstrated that it is the rightful owner of several LACTALIS Trademarks. The Panel acknowledges that the disputed domain name <uslactalis.cam> is confusingly similar to the Complainant’s LACTALIS Trademarks. The domain name wholly incorporates the Complainant’s well-known LACTALIS trademark, which is clearly recognizable within the disputed domain name. The mere addition of the geographical term “us” does not avoid a finding of confusing similarity. According to section 1.8 of the WIPO Overview 3.0, the addition of descriptive, geographical, or other terms to a complainant’s mark in a domain name does not avoid a finding of confusing similarity where the trademark remains recognizable.

Furthermore, the inclusion of the generic Top-Level Domain (“.cam”) is a technical requirement of registration and is disregarded when assessing whether the disputed domain name is identical or confusingly similar to the Complainant’s trademark (see Rollerblade, Inc. v. Chris McCrady, WIPO Case No. D2000-0429).

No Rights or Legitimate Interests

A complainant is required to establish a prima facie case that the respondent lacks rights or legitimate interests. Once such a case is made, the burden of proof shifts to the respondent to demonstrate their rights or legitimate interests in the disputed domain name. Failure to do so results in the complainant satisfying paragraph 4(a)(ii) of the Policy (as per Article 2.1 of WIPO

Jurisprudential Overview 3.0 and WIPO Case No. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

Based on the contentions of the Complainant, the Panel finds that the Complainant has successfully established a prima facie case that the Respondent lacks rights or legitimate interests. As the Respondent has failed to provide relevant evidence demonstrating any such rights or legitimate interests, the Complainant is deemed to have satisfied the second element.

Bad Faith

Bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark (see Article 3.1. of WIPO Jurisprudential Overview 3.0).

Registration in bad faith

In assessing whether the disputed domain name was registered in bad faith, the Panel has taken into account the following factors:

(a) Reputation of the LACTALIS Trademark. The Complainant asserts that the LACTALIS trademark is well-known. In support of this contention, the Complainant relies, inter alia, on Groupe Lactalis v. Paul Goodrich, WIPO Case No. D2022-2429, in which the panel recognized the well-known character of the LACTALIS trademark. Pursuant to section 4.1 of the WIPO Overview 3.0, prior UDRP findings confirming the reputation of a complainant's mark may be taken into account in subsequent cases involving the same mark. Taking this prior recognition together with the evidence submitted in the present proceeding into account, the Panel is satisfied that the Complainant has demonstrated that the LACTALIS Trademarks are well known.

(b) Timing of the registrations. The Complainant's LACTALIS Trademarks have been registered for many years, with some registrations (EU Trademark No. 1529833) dating back to 2002. By contrast, the disputed domain name was registered only in November 2025, long after the Complainant's marks became registered.

(c) The Respondent is domiciled in the United States according to the Whois. Given that the Complainant owns US trademark registrations for LACTALIS and is commercially active in the United States, the Panel considers it likely that the Respondent was (or should have been) aware of the Complainant and its rights when registering the disputed domain name; this is further supported by the composition of the domain name itself, which combines the Complainant's mark with the geographic indicator "us", suggesting deliberate targeting of the US public.

Based on the foregoing, the Panel concludes that the Respondent must have been aware of the Complainant and its trademark when it registered the disputed domain name.

Therefore, the Panel finds that the Respondent registered the disputed domain name in bad faith.

Use in bad faith

The disputed domain name includes the Complainant's trademark in its entirety, giving the impression of a connection to the goods/services marketed by the Complainant and creating a likelihood of confusion with the LACTALIS Trademarks.

At the time the Complaint was filed and at the time of this Decision, the disputed domain name did not resolve to any active website. In this regard, the Panel considered whether, in the circumstances of this particular case, the Respondent's passive holding of the disputed domain name could be considered a use of the disputed domain name in bad faith. According to the WIPO Jurisprudence Overview 3.0, non-use of a domain name would not preclude a finding of bad faith under the passive holding doctrine. Factors considered relevant in applying the passive holding doctrine include (i) the degree of distinctiveness or reputation of the complainant's mark; (ii) the respondent's failure to file a response or to provide evidence of actual or intended good faith use; (iii) the respondent's concealment of its identity or use of false contact information (in violation of its registration agreement); and (iv) the implausibility of any good faith use to which the domain name might be put (see also Telstra Corporation Limited vs. Nuclear Marshmallows, WIPO Case No. D2000-0003, <telstra.org>).

In the circumstances of this case, the Panel finds that the Complainant has adequately demonstrated the acquired distinctiveness and reputation of its LACTALIS Trademarks. The Panel further notes that the Respondent has not submitted any response, nor has it provided any evidence of actual or intended good-faith use in response to the Complaint itself.

Finally, the Panel notes that MX records have been configured for the disputed domain name. As established in WIPO Case No. D2022-0479, CKM Holdings Inc. v. Grant Chonko, Genesis Biosciences, MX records enable a domain name to send and receive email, and are unnecessary where no such use is intended. Their activation therefore goes beyond mere registration and indicates that the Respondent has associated the disputed domain name with email services, creating a risk that it may be used for misrepresentation, phishing, or spamming.

Therefore, the Panel is satisfied that the totality of the circumstances of this case supports a finding that the Respondent's failure to use the domain name for a functional website, coupled with the setting of MX records, supports the Panel's finding that the disputed domain name is being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **uslactalis.cam**: Transferred

PANELLISTS

Name	**Karel Šindelka**

DATE OF PANEL DECISION 2026-01-17

Publish the Decision