Decision for dispute CAC-UDRP-108273

Case number	CAC-UDRP-108273
Time of filing	2025-12-22 18:12:00
Domain names	lindt-online.shop

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Organization	ren wei /

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 is the owner of various trademark registrations for LINDT, LINDOR, and LINDT LINDOR, including the following:

- International Trademark no. 839883 for LINDT, registered on 22 July 2004;
- United States Trademark no. 87306 for LINDT, registered on 9 July 1912; and
- European Union Trademark no. 000134007 for LINDT, registered on 9 September 1998.

The Complainant registered its official domain name <lindt.com> on 16 October 1997. The disputed domain name was registered on 2 November 2025.

Currently, the disputed domain name resolves to a web page displaying the message in English “this store is under construction”.

FACTUAL BACKGROUND

The Complainant is a well-known chocolate maker based in Switzerland. Founded in 1845, it is a market leader in the premium chocolate industry. The Complainant has 12 production facilities in Europe and the United States. It produces numerous food products, which are distributed in over 120 countries by its 38 subsidiaries through its comprehensive network of over 500 retail shops, 21 e-shops and 100 distributors. The Complainant employs over 15000 employees and its revenue in 2024 was around CHF

5.5 billion.

The Complainant states that its most popular offerings are under its LINDT brand.

PARTIES CONTENTIONS

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

LANUGUAGE OF PROCEEDINGS

The language of the Registration Agreement of the disputed domain name is Chinese. The Complaint has been submitted in English. The Complainant has requested that the language of the proceedings be English for the following reasons:

- The Domain Name consists solely of characters from the Latin alphabet rather than Chinese script including the English term “online”, which further suggests the Complainant’s familiarity with English.
- The website linked to the Domain Name currently resolves to a parking page displaying the message in English “This store is under construction”.
- The Complainant is based in Switzerland and represented by Swedish counsel. Neither party has knowledge of Chinese; however, both are fluent in English, a language commonly employed for international proceedings. Conducting the case in Chinese would require the Complainant to engage professional translation services, likely incurring costs that exceed the overall expenses of these proceedings. This would impose an undue and disproportionate burden on the Complainant, given the relatively modest cost of the current process.
- The disputed domain name fully incorporates its well-known LINDT trademark, together with a hyphen and a generic term, and merely resolves to a parking page.
- As explained below, the Respondent is engaged in a pattern of abusive domain name registrations.

Taking into account the above and in an exercise of the Panel’s discretion, the Panel has determined that the language of the proceedings shall be English.

The Panel is satisfied that all other 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

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a complainant to show that a domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

A registered trademark provides a clear indication that the rights in the mark shown on the trademark certificate belong to its respective owner. The Complainant has provided evidence that it owns the trademark registration of the LINDT mark.

In this case, the disputed domain name contains the entirety of the Complainant's LINDT trademark with the addition of the term "-online" which does not serve to distinguish the disputed domain name from the Complainant's trademark.

In addition, the disputed domain name is appended by the new Top-Level Domain ("gTLD") ".shop". It is well established that the addition of a gTLD ".shop" does not avoid confusing similarity between the Complainant's trademark and the disputed domain name (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition "WIPO Overview 3.0", section 1.11.1).

Consequently, the Panel finds that the Complainant has shown that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

B. Rights or Legitimate Interests

Once the complainant establishes a prima facie case that the respondent lacks rights or legitimate interests in the disputed domain name, the burden of production shifts to the respondent to show that it has rights or legitimate interests in respect to the disputed domain name (see WIPO Overview 3.0, section 2.1).

In the present case, the Complainant has demonstrated prima facie that the Respondent lacks rights or legitimate interests in respect of the disputed domain name and the Respondent has failed to assert any such rights or legitimate interests.

The Complainant has provided evidence that it owns trademark registrations of the LINDT mark long before the date that the disputed domain name was registered and that the Complainant has not licensed or otherwise authorised the Respondent to use the Complainant's trademark.

The Complainant also provided evidence that the Respondent is not commonly known by the disputed domain name. See WIPO Overview 3.0, section 2.3. The Complainant has not consented to the use of its LINDT trademark, or part thereof, in the disputed domain name.

Further, the Respondent did not submit a Response in the present case and did not provide any explanation or evidence to show rights or legitimate interests in the disputed domain name which would be sufficient to rebut the Complainant's prima facie case.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

C. Registered and Used in Bad Faith

The Complainant must also show that the respondent registered and is using the disputed domain name in bad faith (see Policy, paragraph 4(a)(iii)). Paragraph 4(b) of the Policy provides circumstances that may evidence bad faith under paragraph 4(a)(iii) of the Policy.

The Complainant has submitted evidence which shows that the Respondent has registered the disputed domain name long after the Complainant registered the LINDT trademark and has accrued substantial goodwill and recognition in its LINDT marks. Given that the LINDT mark is highly distinctive and enjoys a considerable goodwill worldwide, it is highly unlikely that the Respondent was unaware of the Complainant and its trademarks at the time of registering the disputed domain name. Therefore, the Panel draws the conclusion that the registration of the disputed domain name must necessarily have been done in bad faith.

Further, in view of the evidence presented to the Panel, the Panel finds that it is highly likely that the Respondent was not aware of the Complainant and its LINDT trademark at the time of registering the disputed domain name and specifically targeted the Complainant. The Complainant provided evidence to show that the Respondent was involved in numerous domain name disputes involving trademarks of third parties. The Complainant finds that these prior cases weigh heavily in favour of finding that the Respondent's registration and use of the disputed domain name was in bad faith.

The Complainant provided evidence that the disputed domain name resolves to a website stating that "This store is under construction". The Panel notes that the Complainant's sales are primarily through stores, brick and mortar and e-shops, which would likely lead consumers to believe that this website is or will be associated with the Complainant and its trademark. Moreover, the non-use of the disputed domain name (including use of the words "under construction") does not prevent a finding of bad faith under the doctrine of passive holding. Given that the Complainant's LINDT mark is distinctive and has considerable worldwide notoriety, and that the Respondent failed to respond to the Complaint, that the Respondent has been involved in numerous domain name disputes as a Respondent and the implausibility of any good faith use to which the disputed domain name can be put to, the Panel finds that the Respondent's non-use amounts to registration and use in bad faith under the Policy. See WIPO Overview 3.0, Section 3.3.

The Respondent's grim track record of registering numerous domain names comprising third-party trademarks including many well-known marks shows a consistent conduct of abuse contrary to the Poly Paragraph 4(b)(ii). See, for example, Chewy, Inc. v. ren wei,

CAC-UDRP-107922, Les Parfumeries Fragonard v. ren wei, WIPO Case No. D2025-3112, and Strellson AG v. ren wei, ren wei, WIPO Case No. D2025-3380. This pattern of abusive registrations is yet another clear indication of bad faith registration and use of the disputed domain name.

Accordingly, having regard to the circumstances of this particular case, the Panel finds that the Complainant has met its burden under 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. **lindt-online.shop**: Transferred

PANELLISTS

Name	**Jonathan Agmon**

DATE OF PANEL DECISION 2026-02-03

Publish the Decision