Decision for dispute CAC-UDRP-107467

Case number	CAC-UDRP-107467
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Domain names	lindt-spruengliusa.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Organization	lindt-spruengliusa

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 a large portfolio of trade marks consisting of the name LINDT in numerous jurisdictions around the world, including: the International trade mark LINDT, registration number 1128456, first registered on 25 May 2012 in international classes 6, 14, 16, 18, 21, 25, 28, 30, 35, 41 and 43; the international trade mark LINDT (device mark), registration number 839883, first registered on 22 July 2004 in international classes 35 and 43; the European trade mark LINDT (word mark), registration number 000134007, first registered on 7 September 1998 in international class 30; the International trade mark LINDT (device mark), registration number 576529, first registered on 10 September 1991 in international class 30; the United States national trade mark LINDT (device mark), registration number 556669, first registered on 25 March 1952 in international class 30; the United States national trade mark LINDT (word mark), registration number 87306, first registered on 9 July 1912 in international class 30; and the German national trade mark LINDT (word mark), registration number 91037, first registered on 27 September 1906 in international class 30. The Complainant’s trade mark registrations all predate the registration of the disputed domain name.

Furthermore, the Complainant owns multiple domain names consisting of or incorporating the name LINDT, including: <lindt.com>, registered on 16 December 1997, and <lindtusa.com>, registered on 11 October 2001, which are connected to the Complainant's official websites through which it informs Internet users and customers about its business and Lindt-branded products.

The Panel further notes that previous panels have found the Complainant's trade mark LINDT to be well-known worldwide (see, for example, CAC Case No. 106521, Chocoladefabriken Lindt & Sprüngli AG v. ARJONES NEGOCIOS LTDA <lindtbr.shop>; CAC Case No. 106611, Chocoladefabriken Lindt & Sprüngli AG v. Fox Intermediacoes Ltda <lindtpascoa.com>, <lindtpascoa.online>, and <lindtpascoa.store>; CAC Case No. 106724, Chocoladefabriken Lindt & Sprüngli AG v. Manoj Kumar <lintusa.com>; and CAC Case

No. 107863, Chocoladefabriken Lindt & Sprüngli AG v. Zhichao N/A <lindttusa.com>, <lindtusaa.com>, <lindtussa.com>, and <lindtuusa.com>). The Panel accepts that the Complainant's trade mark LINDT is well-known around the world, including in the United States.

FACTUAL BACKGROUND

The Complainant is a Swiss chocolatier and confectionery manufacturer, founded in 1845 and globally known for its premium chocolate brands, including Lindt. The Complainant's products are distributed in over 120 countries through 38 subsidiaries, more than 500 retail stores, 21 online shops, and a network of over 100 distributors. Employing approximately 15,000 people, the Complainant reported sales of CHF 5.47 billion and an operating profit of CHF 884 million in 2024. Specifically, with regard to the United States, where the Respondent claims to be based, in 2024, Lindt & Sprüngli USA, one of the Complainant's subsidiaries, recorded sales of USD 843 million in the country. The Complainant also placed its first Super Bowl advertisement, one of the country's most prominent sporting events, which reached a record 124 million viewers. Furthermore, the Complainant and its LINDT mark enjoy significant global recognition, with continuous presence in rankings of the world's most popular chocolates. For example, the LINDT mark ranked tenth in the list of the Top 100 Food Brands for 2025 published by Brand Finance.

The Respondent registered the disputed domain name <lindt-spruengliusa.com> on 15 December 2025. The disputed domain name resolves to an inactive parking page. There is no evidence before the Panel that the disputed domain name has ever been used for an active website since it was registered. MX records have been associated with the disputed domain name.

PARTIES CONTENTIONS

The Complainant contends that all three elements of the UDRP have been fulfilled and it therefore requests the transfer of the disputed domain name to 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 trade mark 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

On 9 January 2026, following notification of these proceedings by the CAC, the Respondent sent an email to the CAC, stating: "Hello I don't know what is this and do not imagine what I do. You can do anything with this because I don't have any touch with the domains or IT Industry". However, the Respondent did not communicate further with the case administrator, did not respond to a non-standard communication from the Complainant, and did not submit a response. In fact, the Panel construes the Respondent's email as the Respondent saying that he is disinterested in and not connected with these proceedings. In the circumstances, 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

With regard to the first UDRP element, the Panel finds that the disputed domain name <lindt-spruengliusa.com> is confusingly similar to the Complainant's trade mark LINDT. Indeed, the disputed domain name incorporates the Complainant's trade mark in its

entirety but adds the name element “Spruengli” from the Complainant’s company name and the geographic indicator “usa” as a hyphenated suffix to the Complainant's trade mark. The Panel follows in this respect the view established by numerous other decisions that a domain name which wholly incorporates a Complainant's registered trade mark may be sufficient to establish confusing similarity for the purposes of the UDRP (see, for example, WIPO Case No. D2003-0888, Dr. Ing. h.c. F. Porsche AG v. Vasiliy Terkin <porsche-autoparts.com>). Furthermore, the incorporation of a complainant's well-known trade mark in the disputed domain name is considered sufficient to find the domain name confusingly similar to the complainant's trade mark (see WIPO Case No. D2000-0138, Quixtar Investments, Inc. v. Smithberger and QUIXTAR-IBO <quixtar-sign-up.com>; and WIPO Case No. D2001-0110, Ansell Healthcare Products Inc. v. Australian Therapeutics Supplies Pty, Ltd <ansellcondoms.com>). The Panel further considers it to be well established that the addition of a descriptive or generic term does not allow a domain name to avoid confusing similarity with a trade mark, (see, for example, WIPO Case No. D2019-2294, Qantas Airways Limited v. Quality Ads <qantaslink.com>; and CAC Case No. 102137, Novartis AG v. Black Roses <novartiscorp.com>). Other panels have previously found that “Where the relevant trademark is recognizable within the Disputed Domain Name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element” (see WIPO Case No. D2020-0528, Philip Morris Products S.A. v. Rich Ardtea <global-iqos.com>). Specifically with regard to the Complainant’s trade mark LINDT, see also: CAC Case No. 106611, Chocoladefabriken Lindt & Sprüngli AG v. Fox Intermediacoes Ltda <lindtpascoa.com>, <lindtpascoa.online>, and <lindtpascoa.store>; and CAC Case No. 107339, Chocoladefabriken Lindt & Sprüngli AG v. Daniel Studer (Lindt & Sprungli (USA) Inc.) <lindtsprungliinc.com>. Against this background, the Panel finds that the addition of the name element “Spruengli” and the geographic indicator "usa" to the Complainant’s trade mark is not sufficient to alter the overall impression of the designation as being connected with the Complainant's trade mark and does not prevent a likelihood of confusion between the disputed domain name and the Complainant and its trade mark. To the contrary, the disputed domain name rather adds to the likelihood of confusion because it implies that the disputed domain name links to an official website of the Complainant, its subsidiary Lindt & Spruengli USA, and its associated business and products.

With regard to the second UDRP element, there is no evidence before the Panel to suggest that the Respondent has made any use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. Neither is there any indication that the Respondent is making legitimate non-commercial or fair use of the disputed domain name. Indeed, the disputed domain name is not being used for any active website but resolves to an inactive parking page. A lack of content at the disputed domain has in itself been regarded by other panels as supporting a finding that the respondent lacked a bona fide offering of goods or services and did not make legitimate non-commercial or fair use of the disputed domain name (see, for example, Forum Case No. FA 1773444, Ashley Furniture Industries, Inc v. Joannet Macket/JM Consultants). The Panel further finds that the Respondent is not affiliated with or related to the Complainant in any way and is neither licensed nor otherwise authorised to make any use of the Complainant’s trade mark or to apply for or use the disputed domain name. In addition, the Whois information does not suggest that the Respondent is commonly known by the disputed domain name <lindt-spruengliusa.com>. Past panels have held that a respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name, as is equally not the case here (see, for example, Forum Case No. FA 1781783, Skechers U.S.A., Inc. and Skechers U.S.A., Inc. II v. Chad Moston / Elite Media Group <bobsfromsketchers.com> (“Here, the WHOIS information of record identifies Respondent as “Chad Moston / Elite Media Group.” The Panel therefore finds under Policy ¶ 4(c)(ii) that Respondent is not commonly known by the disputed domain name under Policy ¶ 4(c)(ii).”)). Finally, the Respondent failed to respond to a letter sent by the Complainant and to demonstrate any rights or legitimate interest in the disputed domain name in response. Against this background, and absent any response from the Respondent, or any other information indicating the contrary, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

With regard to the third UDRP element, it is reasonable to infer that the Respondent either knew, or should have known, that the disputed domain name would be confusingly similar to the Complainant's trade mark, and that the Respondent registered the disputed domain name in full knowledge of the Complainant's trade mark. Indeed, if the Respondent had carried out a Google search for the terms “Lindt”, “Spruengli” and “USA”, the search results would have yielded immediate results related to the Complainant, its websites, and its connected business and products. Indeed, it is likely that the disputed domain name would not have been registered if it were not for the Complainant's trade mark (see, for example, WIPO Case No D2004-0673 Ferrari Spa v. American Entertainment Group Inc <ferrariowner.com>). It is worth noting that, as stated in the WIPO Overview 3.0, section 3.1.4: “Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith.” In this context, the Panel has already found that the Complainant’s LINDT mark qualifies as a well-known trademark (see also the decision in CAC Case No 107486, Chocoladefabriken Lindt & Sprüngli AG v. oceane thida (Lindt Edition Dubai Style) <lintdubaiedition.com>: “In the present case, the Panel shares the view of other UDRP panels and finds that the Complainant’s trademark LINDT is well known. Therefore, this Panel has no doubt that the Respondent positively knew or should have known the Complainant’s trademark when registering the disputed domain name. This is underlined by the fact that the disputed domain name contains a common, obvious, or intentional misspelling of the Complainant’s well-known trademark, followed by terms that clearly refer to one of the Complainant’s products. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith, WIPO Overview 3.0 section 3.1.4. The Panel shares this view)”. Also, the website related to the disputed domain name is currently inactive and resolves to a parking page. The Respondent has not demonstrated any activity in respect of the disputed domain name. Indeed, it is difficult to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate on the grounds that it would constitute passing off, an infringement of consumer protection legislation, or an infringement of the Complainant’s rights under trade mark law under circumstances where the disputed domain name is confusingly similar to the Complainant’s trade mark currently used by the latter to promote its business and products. Furthermore, it appears that the disputed domain name has been configured with MX records, which suggests that it may actively be used for email purposes, or that such use is at least contemplated. This configuration suggests that the Respondent intended to create and use email addresses in the format “[...]@lindt-

spruengliusa.com". In circumstances where there is, as is the case here, a high risk and likelihood of confusion on the part of Internet users as to the affiliation between the disputed domain name and the Complainant, the Panel concludes that there is no apparent basis on which the Respondent would be able to make any good faith use of the disputed domain name as part of an email address (see, for example, WIPO Case No. D2023-2997, AB Electrolux v. domain admin <electroluxweb.com> ("Also, the activation of MX records (submitted by the Complainant in Annex V) reveals that the Respondent might intend to send suspicious emails such as phishing emails, which only emphasize the Respondent's bad faith in the use and registration of the disputed domain name."); Forum Case No. 1998634, Morgan Stanley v. Stone Gabriel <morgan-stanly.co> ("The Panel has determined that there are MX records for the disputed domain name, therefore it might be intended for use in an email phishing scheme."); and WIPO Case No. D2022-3791, TEVA Pharmaceutical Industries Limited v. Name Redacted <tevapharmamumbai.com> ("The Panel finds that Respondent's registration of MX records in respect of the disputed domain are further circumstances demonstrating bad faith registration and use of the disputed domain name.")). Finally, as mentioned above, the Respondents failed to respond to correspondence sent by the Complainant, which further supports an inference of bad faith (see, for example, WIPO case No. D2016-1695 International Business Machines Corporation v. Adam Stevenson, Global Domain Services <ibmresearchgroup.com>; and WIPO Case No. D2018-2201 Carrefour v. PERFECT PRIVACY, LLC / Milen Radumilo <supermercadocarrefour.com>). In the circumstances, the Panel does not need to consider further whether the Respondent's provision of apparently incorrect company details when registering the disputed domain name constitutes yet further evidence of bad faith. Absent any response from the Respondent, or any other information indicating the contrary, the Panel therefore also accepts that the Respondent has registered and is using the disputed domain name in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lindt-spruengliusa.com**: Transferred

PANELLISTS

Name	**Gregor Kleinknecht LLM MCIArb**

DATE OF PANEL DECISION 2026-02-07

Publish the Decision