Decision for dispute CAC-UDRP-107612

Case number	CAC-UDRP-107612
Time of filing	2026-01-06 11:33:55
Domain names	ghirardelii.com

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	Delli Cho

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 the following trademarks:

Trademark	Origin	Registration Number	Registration Date	Class(es) Covered
GHIRARDELLI	United States	205776	17 Nov 1925	30
GHIRARDELLI	United States	1645206	21 May 1991	16, 18, 21, 25, 30, 42
GHIRARDELLI	United States	3508893	30 Sep 2008	6, 16, 18, 21, 25, 28

GHIRARDELLI	European Union	003716453	27 Jul 2005	30, 35, 42, 43
GHIRARDELLI	International	826074	30 Mar 2004	30, 35, 43
GHIRARDELLI	International	936941	27 Jul 2007	6, 14, 16, 18, 21, 25, 28, 41
GHIRARDELLI	Canada	TMA378615	18 Jan 1991	30
GHIRARDELLI	Canada	TMA763505	8 Apr 2010	16, 18, 21, 25, 30, 35, 43
GHIRARDELLI	Mexico	704971	28 Jun 2001	30

("**Complainant's Trademarks**")

The disputed domain name <ghirardelii.com> was registered on 27 December 2025.

FACTUAL BACKGROUND

As the Respondent did not file any response to the complaint, the Panel took into account the following facts asserted by the Complainant (and supported by the documentary evidence submitted by the Complainant) and unchallenged by the Respondent:

(a) The Complainant, founded in 1845, is a well-known chocolate maker based in Switzerland. As a leader in the market of premium quality chocolate, the Complainant produces chocolates from 12 own production sites in Europe and the United States. These are sold by 38 subsidiaries and branch offices, as well as via a network of over 100 independent distributors around the globe. The Complainant also runs more than 500 own shops. With around 15,000 employees, the Complainant reported sales of CHF 5.47 billion in 2024. Over the years, the Complainant has expanded its brand portfolio abroad and acquired chocolate businesses including Hofbauer and Küfferle (1994), Caffarel (1997), Ghirardelli (1998) and Russell Stover (2014). The Complainant acquired the Ghirardelli Chocolate Company in 1998. Ghirardelli, one of the oldest US-based chocolate companies, was founded in 1852 and is headquartered in San Francisco, California. In FY 2022, Ghirardelli generated sales of USD 727 million. Ghirardelli chocolates are sold through numerous stores, retail partners and wholesale distributors;

(b) The Complainant is the owner of Complainant's Trademarks. Also, the Complainant owns many domain names for its Ghirardelli brand such as <ghirardelli.com> where Complainant's primary web presentation is located and <ghirardelli.online>, <ghirardelli.shop>, <ghirardelli.us>, <ghirardelli.com.mx> and <ghirardelli.ca>; and

(c) The disputed domain name <ghirardelii.com> was registered on 27 December 2025 and is redirected to the official website of the Complainant <ghirardelli.com> while its MX records are configured.

PARTIES CONTENTIONS

COMPLAINANT:

In addition to the above factual assertions, the Complainant also contends the following:

(a) The disputed domain name is confusingly similar to Complainant’s Trademarks. The slight spelling variation of substituting the “l” with "i" is not sufficient to escape the finding that the disputed domain name is confusingly similar to Complainant's Trademarks. It is well-established that the slight spelling variations do not prevent a disputed domain name from being confusingly similar to Complainant’s Trademarks;

(b) The Respondent has no rights or legitimate interests in respect of the disputed domain name, and he is not related in any way to the Complainant. The Complainant does not carry out any activity for, nor has any business with the Respondent. Neither license nor authorization has been granted by the Complainant to the Respondent to make any use of the Complainant’s Trademarks or apply

for registration of the disputed domain name. Besides, the Complainant also claims that the disputed domain name is a typosquatted version of Complainant's Trademark. Typosquatting is the practice of registering a domain name to take advantage of Internet users' typographical errors and which shows that the Respondent lacks rights and legitimate interests in the domain name;

(c) Furthermore, the misspelling of Complainant's Trademarks was intentionally created by the Respondent to establish confusing similarity of the disputed domain name to Complainant's Trademarks. The Complainant contends such practice of the Respondent is evidence of bad faith. Moreover, as the MX records for the disputed domain name are configured, there is a risk that the disputed domain name may be used for fraudulent activity such as phishing. Consequently, the disputed domain name has been registered and is being used in bad faith by the Respondent.

RESPONDENT:

The Respondent did not provide any response to the complaint.

RIGHTS

The Panel concluded that the disputed domain name is identical or confusingly similar to Complainant's Trademarks within the meaning of paragraph 4(a)(i) of the Uniform Domain Name Dispute Resolution Policy ("**UDRP**" or "**Policy**").

For details, please see "Principal Reasons for the Decision".

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).

For details, please see "Principal Reasons for the Decision".

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).

For details, please see "Principal Reasons for the Decision".

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

Paragraph 4(a) of the Policy requires that the Complainant proves each of the following three elements to obtain an order that the disputed domain name should be transferred or revoked:

(i) the disputed 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 in respect of the disputed domain name; and

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

The Panel will proceed to analyse whether the three elements of paragraph 4(a) of the Policy are satisfied in these proceedings.

RIGHTS

The disputed domain name is confusingly similar to Complainant's Trademarks. It contains the word element of Complainant's Trademarks (GHIRARDELLI) with slight spelling variation (GHIRARDELII). The Panel believes that such slight spelling variation is not

sufficient to avoid confusing similarity of the disputed domain name to Complainant's Trademarks.

For sake of completeness, the Panel asserts that the top-level suffix in the domain name (i.e. the ".com") must be disregarded under the identity / confusing similarity test as it is a necessary technical requirement of registration.

Therefore, the Panel concludes that the Complainant satisfied the requirement under paragraph 4(a)(i) of the Policy.

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. Once such prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the disputed domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy (for example, WIPO case no. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

As asserted by the Complainant (and unchallenged by the Respondent), the Respondent is not commonly known by the disputed domain name. Neither is the Respondent in any way related to the Complainant. The Respondent failed to provide any information and evidence that it has relevant rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a) (ii) of the Policy).

Therefore, the Panel concludes that the Respondent has 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 Panel believes that this case is a prima facie example of typosquatting (i.e. registration of a domain name with a spelling error either for attracting Internet users to the registrant's web site by creating a likelihood of confusion with the official website of the trademark owner or for other fraudulent purposes such as phishing or impersonating the trademark owner) which is one of the clear situations of bad faith registration / use of a domain name (paragraph 4(b)(iv) of the Policy). As numerous previous decisions have held, typosquatting as such is evidence of bad faith (please see, for example, WIPO Case No. D2011-1079 bwin.party services (Austria) GmbH v. Interagentur AG; WIPO Case No. D2002-0568, Go Daddy Software, Inc. v. Daniel Hadani; WIPO Case No. D2002-0423 Dell Computer Corporation v. Clinical Evaluations, or WIPO Case No. D2001-0970, Briefing.com Inc v. Cost Net Domain Manager). Moreover, given that the MX records of the disputed domain name are configured, there is a risk that the disputed domain name may be used for fraudulent activity (such as phishing) by the Respondent. This further contributes to the conclusion of apparent bad faith on the side of the Respondent.

As a result, the Panel found that the disputed domain name has been registered and is being used in bad faith by the Respondent (within the meaning of 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. **ghirardelii.com**: Transferred

PANELLISTS

Name	**Michal Matějka**

DATE OF PANEL DECISION 2026-02-07

Publish the Decision