# Decision for dispute CAC-UDRP-108377

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| Case number | CAC-UDRP-108377 |
| Time of filing | 2026-02-03 10:17:14 |
| Domain names | florafgs.com |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | Flora Food Group B.V. |

## Complainant representative

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| Organization | Stobbs IP Limited |

## Respondent

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| Name | Rubina Bon |

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 evidence has established that the Complainant is the owner of a portfolio of registered trademarks including:

(a) the United Kingdom trademark registration for FLORA, registered with the United Kingdom Intellectual Property Office, registered number IPO UK00003675549, registered on November 26, 2021;

(b) the European Union trademark registration for FLORA, registered with the European Union Intellectual Property Office, registered number EUIPO 018200053, registered on March 26, 2021; and

(c) numerous other registered trademarks for FLORA and derivatives, registered domestically and internationally

(collectively "the FLORA trademark").

FACTUAL BACKGROUND

The Complainant, Flora Food Group B.B., is a renowned Netherlands company engaged in the provision of a diversified range of plant-based consumer products and has been so engaged since1871 through its predecessors-in-title and associated entities.

It provides its goods and services under the FLORA trademark.

As well as the FLORA trademark, the Complainant owns the domain name <florafoodgroup.com> which it uses in its business to promote its goods and services under its FLORA trademark and brand on the internet and to enable consumers to buy them.

It has come to the notice of the Complainant that, without any permission to do so, and after the Complainant had acquired its aforesaid trademark rights, the Respondent registered the domain name <florafgs.com> ("the Disputed Domain Name") on July 28, 2025 which includes the FLORA trademark in its entirety, with the addition of the letters “fgs” which signify “foodgroups” and also the Top Level Domain “.com.”

The Respondent has then caused the Disputed Domain Name to resolve to a website promoting unrelated goods and services and used to send emails to various recipients, purporting to represent Flora Food Sales UK Limited, referring to a purported invoice for a sum that the sender claims is owed by the recipient and which is a phishing email attempting to impersonate the Complainant to obtain, inter alia, the payment details of the Complainant’s customers.

The Disputed Domain Name and its aforesaid use pose a very concerning threat to the Complainant’s business and the FLORA trademark and brand. That is because the Complainant submits that the Disputed Domain Name and the use made of it by the Respondent constitute impersonation of the Complainant, deception, fraud and phishing, and an infringement of the FLORA trademark, give rise to a likelihood of confusion in the minds of internet users and particularly the Complainant’s customers, between the trademark and the Disputed Domain Name and pose the threat of potentially improper use that might be made of the Disputed Domain Name in the future if the Respondent retains it.

The Complainant maintains that the Disputed Domain Name is confusingly similar to its trademark, that registering the Disputed Domain Name and using it in the aforesaid manner cannot give rise to a right or legitimate interest in the Disputed Domain Name and that the Disputed Domain Name has been registered and used in bad faith.

The Complainant has therefore brought this proceeding under the Uniform Domain Name Dispute Resolution Policy to obtain a transfer of the Disputed Domain Name to itself and thus the cessation of the improper use to which the Respondent has put it.

## PARTIES CONTENTIONS

Complainant

- The Complainant is a company incorporated in the Netherlands and is the owner of the FLORA trademark.
- The Respondent registered the domain name <florafgs.com> ("the Disputed Domain Name") on July 28, 2025.
- The Disputed Domain Name is confusingly similar to the FLORA trademark.
- The Respondent has no right or legitimate interest in the Disputed Domain Name. That is submitted on the following grounds, namely that the Complainant has not given any permission or authority to the Respondent to register or use the Disputed Domain Name and there is no affiliation, business or other relationship between the Complainant and the Respondent; the Disputed Domain Name has not been used for a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy; the Respondent is not commonly known by the Disputed Domain Name within the meaning of paragraph 4(c)(ii) of the Policy; the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name within the meaning of paragraph 4(c)(iii) of the Policy; and there is no other ground on which it could conceivably be argued that the Respondent has a right or legitimate interest in the Disputed Domain Name.
- The Respondent has registered and used the Disputed Domain Name in bad faith.

Respondent

The Respondent did not file a Response.

## 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 the UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

## PRINCIPAL REASONS FOR THE DECISION

This is a mandatory administrative proceeding pursuant to Paragraph 4 of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP") of the Internet Corporation for Assigned Names and Numbers ("ICANN"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the CAC Supplemental Rules.

1. Administrative deficiency

By notification dated February 3, 2026 and in accordance with Paragraph 4 (b) of the Rules, the CAC notified the Complainant that the Complaint was administratively deficient in that it had not sufficiently identified the Respondent. The Complainant was invited to see the Registrar's verification available in the online case file in the form of a non-standard communication regarding the appropriate identification of the domain name holder.

Also, on February 9, 2026, the Complainant filed an Amended Complaint correcting the deficiency and the CAC thus determined that the Complaint should be admitted to proceed further in the Administrative Proceeding.

The Panel has reviewed all of the above matters and makes a finding that within the meaning of Paragraph 4(b) of the Rules, the administrative deficiencies have been corrected and that this matter has proceeded properly to the Panel in accordance with the Policy and the Rules.

2. Substantive matters

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. In that regard, the Panel also notes that the onus is on the Complainant to make out its case, and past UDRP panels have consistently said that a complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

The Panel therefore turns to discuss the various issues that arise for decision on the facts as they are known.

For the Complainant to succeed it must prove, within the meaning of Paragraph 4(a) of the Policy, that:

(i) the 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 domain name; and

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

The Panel will therefore deal with each of these requirements in turn.

A. Identical or Confusingly Similar.

The first issue that arises is whether the Complainant has a trademark on which it may rely in this proceeding. In that regard, the Panel finds that the Complainant has adduced evidence that the Panel accepts, that it is the registered owner of the FLORA trademark, particulars of which are set out above. That evidence is in documentary form that the Panel has examined and finds to be in order. The Panel therefore finds that the Complainant has established its trademark rights and hence its standing to bring this proceeding.

The Panel next finds that the Disputed Domain Name is confusingly similar to the FLORA trademark. That is so for the following reasons.

The evidence has established that on July 28, 2025 the Respondent registered the Disputed Domain Name which includes the entirety of the FLORA trademark. The Disputed Domain Name also includes, immediately after the trademark, the letters "fgs" " which signify "foodgroups" as a pluralised identification of the goods and services of the Complainant with respect to which the trademark was registered and also the Top Level Domain ".com." The trademark is clearly recognizable in the Disputed Domain Name. The addition of the letters "fgs" which signify "foodgroups" and also the Top Level Domain ".com.", enhance the confusing similarity between the Disputed Domain Name and the trademark because internet users would read the Disputed Domain Name as invoking the Complainant, its trademark, brand, and the genuine products offered under the trademark that could be acquired through the Complainant's aforesaid website.

The entirety of the trademark is therefore included in the Disputed Domain Name and the trademark is by far its most dominant feature. Accordingly, the attention of the internet user would naturally be drawn to the use of the trademark in the Disputed Domain Name which would inculcate in the mind of the user that it is an official domain name of the Complainant or that it was authorized by the Complainant, neither of which on the evidence of the Complainant was true.

The presence of the letters “fgs”, as already noted to signify food groups, the industry of the Complainant, does not negate that conclusion but enhance it, because it gives to the Disputed Domain Name the meaning that it is invoking the Complainant and the goods and services that it offers and for which it is famous. Internet users would therefore conclude that the Disputed Domain Name is invoking the Complainant, its trademark and its genuine products and that it is either a trademark of the Complainant or one that is authorized by it.

It is also well-established that in assessing confusing similarity between a trademark and a domain name, the relevant Top Level Domain such as ".com" in the present case does not negate that conclusion, because all domain names require such an extension and the Top Level Domain does not show one way or the other whether a domain name is confusingly similar to a trademark. Thus, the Disputed Domain Name means, and was undoubtedly intended to mean, that it relates to the goods and services of the relevant trademark owner that are available by acquiring them through the domain name and any website to which it resolves.

Accordingly, the Disputed Domain Name is confusingly similar to the Complainant’s trademark; it is similar to the trademark because its dominant element is the Complainant's trademark and it is confusingly similar because internet users would naturally wonder whether it was an official and genuine domain name of the Complainant or not.

The Complainant has therefore established the first element that it must show under Paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Under Paragraph 4(a)(ii) of the Policy, the Complainant has the burden of establishing that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

But by virtue of Paragraph 4(c) of the Policy, it is open to a respondent to establish its rights or legitimate interests in a domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to you [respondent] of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you [respondent] (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you [respondent] are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Thus, if a respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the Disputed Domain Name, the complainant will have failed to discharge its onus and the complaint will fail. It is also well-established that a complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests and that when such a prima facie case is made, the respondent carries the burden of demonstrating rights or legitimate interests in the Disputed Domain Name. If the respondent cannot do so, a complainant is deemed to have satisfied Paragraph 4(a)(ii) of the Policy.

The Panel, after considering all of the evidence in the Complaint, finds that the Complainant has made out a strong prima facie case that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The case is made stronger by the Complainant having adduced relevant documentary evidence which the Panel accepts and which will shortly be referred to, and by the Complainant's citation and discussion of previously decided UDRP cases which support its contentions.

The Panel will address each of the grounds relied on by the Complainant in the order in which they have been submitted by the Complainant. Those grounds are that:

- the evidence is that the Complainant has not given any permission or authority to the Respondent to register or use the Disputed Domain Name and there is no affiliation, business or other relationship between the Complainant and the Respondent; that being so, it could not be said that the Disputed Domain Name was registered with anything like consent, which might show a right or legitimate interest if made out on the evidence; in the present case, there is no such evidence;
- the Disputed Domain Name has not been used for a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy; it is clear from the evidence that the use to which the Respondent has put the Disputed Domain Name is not a bona fide use within the meaning of Paragraph 4(c)(i) of the Policy or at all; there is nothing bona fide in, in effect, stealing another party’s trademark and using it to resolve to a website promoting goods and services other than those of the Complainant, then using the Disputed Domain Name for an email to assert falsely that the recipient of the email owes money to a named company with a name similar to the Complainant and that it should pay that sum, and then using the concocted subterfuge for phishing; indeed, it would be more accurate to describe the Respondent’s conduct as mala fide rather than bona fide;
- the Respondent is not commonly known by the Disputed Domain Name within the meaning of paragraph 4(c)(ii) of the Policy; there is no evidence that the Respondent is known by the Disputed Domain Name and no evidence that it is known by any name other than its own;
- the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name within the meaning of paragraph 4(c)(iii) of the Policy; the Respondent’s aforesaid machinations are clearly illegitimate, clearly commercial and clearly

not fair, either to the Complainant or to internet users in general; and
- there is no other ground on which it could conceivably be argued that the Respondent has a right or legitimate interest in the Disputed Domain Name.

The Complainant has therefore made out its prima facie case. The Respondent has not rebutted the prima facie case as it is in default and has not filed a Response.

The Complainant has therefore made out the second of the three elements that it must establish under Paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Complainant must prove on the balance of probabilities both that the Disputed Domain Name was registered in bad faith and that it is being used in bad faith.

Paragraph 4(b) of the Policy sets out four circumstances, any one of which is evidence of the registration and use of a domain name in bad faith, although other circumstances may also be relied on, as the four circumstances are not exclusive. The four specified circumstances are:

(i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to the respondent's website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the site or location.

The Panel finds that the Complainant has shown that the Respondent registered and used the Disputed Domain Name in bad faith on all of the grounds relied on by the Complainant.

The Panel will deal with each of those grounds in the order in which they have been raised by the Complainant.

They are that:

- the Respondent registered the Disputed Domain Name after the Complainant had established its aforesaid trademark rights; the evidence shows that this contention is correct; the conclusion is irresistible that the Respondent registered the Disputed Domain Name because the Complainant was famous, that it had a trademark to promote its goods and services and that the Respondent wanted to copy it for its own dishonest ends;
- the Respondent has taken the Complainant's well-known FLORA trademark and without permission or authority has entirely incorporated it in the Disputed Domain Name which is confusingly similar to the trademark; this, of course has been well-established by the evidence and this ground has therefore been made out;
- the Respondent has clearly sought to generate confusion between the Complainant and the Respondent within the meaning of paragraph 4(b)(iv) of the Policy by registering the Disputed Domain Name which is confusingly similar to the FLORA trademark, impersonating the Complainant, falsely claiming that the recipient of the aforesaid email is indebted to the Respondent, fraudulently seeking to obtain money and information from the recipient to which it is not entitled and by phishing; all of the Respondent's subterfuges were devised for one reason, to give the false impression that it was the Complainant and that dealing with the Respondent would be tantamount to dealing with the Complainant, which was false; all of this amounted to generating confusion and this ground is therefore made out.

In particular, it must also be concluded on the evidence that the Respondent had actual knowledge of the Complainant's well-known trademark when it registered the Disputed Domain Name and the presence of such a famous trademark in a domain name indicates that the Respondent was well-aware of the Complainant and its trademark, knew its target and hence registered the Disputed Domain Name in bad faith; indeed, the Respondent could not have carried out its subterfuge unless it had actual knowledge of the Complainant, its trademark, famous brand and products.

The Complainant has therefore made out the third of the three elements that it must establish under Paragraph 4(a)(iii) of the Policy.

The Complainant has thus established all of the elements it is required to prove under the Policy and has done so by its direct evidence, by submitting one of the Annexes, which is a copy of the phishing email and Another Annex ,which is a screenshot of the offending website.

The Respondent is in default and has not filed a Response. The Complainant is therefore entitled to the relief that it seeks, namely transfer of the Disputed Domain Name.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **florafgs.com**: Transferred

## PANELLISTS

| Name | **Neil Brown** |
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DATE OF PANEL DECISION 2026-03-04

Publish the Decision