Decision for dispute CAC-UDRP-108371

Case number	CAC-UDRP-108371
Time of filing	2026-01-29 13:03:27
Domain names	arlafoodsinc-usa.com

Case administrator

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

Complainant

Organization	Arla Foods Amba

Complainant representative

Organization	Abion GmbH

Respondent

Organization	Njalla Okta LLC

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 numerous trademark registrations for **ARLA** and **ARLA FOODS**, such as but not limited to:

- US trademark registration **ARLA** 3325019, registered on 30 October 2007;
- US trademark registration **ARLA** 3651489, registered on 7 July 2009;
- International trademark registration **ARLA** 731917, registered on 20 March 2000;
- International trademark registration **ARLA FOODS** 1829124, registered on 2 October 2024 (hereinafter cumulatively referred to as the "Trademark").

FACTUAL BACKGROUND

The Complainant, Arla Foods is the fifth largest dairy company in the world and a cooperative owned by more than 12,500 dairy farmers. The Complainant was constituted in 2000, when the largest Danish dairy cooperative MD Foods merged with its Swedish counterpart Arla ekonomisk Förening. The Complainant employs around 21,895 full time employees and reached a global revenue of EUR 13,8 billion for the year 2024.

The Complainant has also a strong business presence in the United States, which is related to the disputed domain name. The Complainant sells its products and services through two local branches: Arla Foods Inc., USA, and Arla Foods Hollandtown Dairy.

The Complainant also enjoys a strong online presence via its official website and social media <**arla.com**> (registered 15 July 1996), <**arlafoodsusa.com**> (registered 9 November 2005), <**arlafoods.com**> (registered 1 October 1999). Due to extensive use, advertising and revenue associated with its trademarks worldwide, the Complainant enjoys a high degree of renown around the world. To support its operations and connect with the US market, the Complainant also owns the domain name <arlausa.com> (registered on 2 August 2006).

The disputed domain name was registered was registered on 30 December 2025, after its registration it was used as part of an elaborate phishing and impersonation scheme targeting the Complainant's business partners. The disputed domain name was configured to create email address impersonating the Complainant's employee, and was used to conduct extended email correspondence with third parties. At the time of filing the Complaint and the Amended Complaint, the disputed domain name resolves an inactive website, however, its MX records are active, indicating that the disputed domain name is configured for e-mail communication.

PARTIES CONTENTIONS

The Complainant contends that the disputed domain name is confusingly similar to the Trademark.

Furthermore, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. In this regard, the Complainant states that the Respondent is not commonly known by the disputed domain name, that it is not affiliated with nor authorized by the Complainant in any way, that the Complainant does not carry out any activity for, nor has any business with the Respondent, and that neither license nor authorization has been granted to the Respondent to make any use of the Trademark or apply for registration of the disputed domain name by the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It contends that the Respondent must have been aware of the Complainant and its Trademark at the time of registration of the disputed domain name as the Trademark is well-known and that the Respondent's use of the disputed domain name is evidence of bad faith, as it intentionally tried to attract users by creating a likelihood of confusion with the Complainant's trademark as to the source of the website associated to the disputed domain name constitutes evidence of bad faith registration and use.

RESPONDENT:

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

Under paragraph 4(a) of the Policy, the Complainant must prove that each of the following three elements is present:

(i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; 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.

1. The Panel accepts that the disputed domain name is confusingly similar to the Trademark, as it incorporates it in its entirety. The addition of the corporate identifier **“inc”** geographic term "**usa**" is not sufficient to prevent a finding of confusing similarity, as it even enhances the latter.

2. Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

The Respondent does not appear to have operated any bona fide or legitimate business under the disputed domain name and is not making a noncommercial or fair use of the disputed domain name. Instead, the disputed domain name has been used as part of a fraudulent phishing scheme targeting the Complainant’s business. The disputed domain name was configured to create e-mail addresses impersonating an employee of the Complainant and was used to conduct extended e-mail correspondence with third parties. Through these deceptive communications, the Respondent falsely represented itself as the Complainant and sought to disclose sensitive business and financial information. The use of the disputed domain name for such fraudulent purposes clearly demonstrates that the Respondent has no rights or legitimate interests in the disputed domain name.

Consequently, the Panel finds that the Complainant has fulfilled its obligations under paragraph 4(a)(ii) of the Policy. The Respondent did not deny these assertions in any way and therefore failed to prove any rights or legitimate interests in the disputed domain name.

3.1 The Panel is satisfied that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights in the Trademark as the Trademark is well-established and well-known.

3.2 Furthermore, the Panel accepts the Complainant's contentions that the disputed domain name has been used in bad faith under para. 4(b)(iv) of the Policy. The Respondent has used the disputed domain to intentionally attract users to its website by creating a likelihood of confusion with the Trademark as to the source, sponsorship, affiliation, or endorsement of the website and by capitalising on Complainant's reputation.

Consequently, by using the disputed domain name in such a manner, the Respondent has fulfilled the elements and requirements for a finding under paragraph 4(a)(iii) of the Policy. The Panel finds that the Complainant has also established the third element of the Policy successfully.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arlafoodsinc-usa.com**: Transferred

PANELLISTS

Name	**Stefanie Efstathiou LL.M. mult.**

DATE OF PANEL DECISION 2026-03-06

Publish the Decision