Decision for dispute CAC-UDRP-108407

Case number	CAC-UDRP-108407
Time of filing	2026-02-13 12:42:23
Domain names	lindtchocolate-usa.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	asdasd asdasd

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 has proved to own the following trademark rights, inter alia:

- German trademark LINDT No. 91037 dated September 27, 1906, duly renewed since then and covering goods in class 30;
- U.S. trademark LINDT No. 87306 dated July 9, 1912, duly renewed since then and covering goods in class 30;
- International trademark LINDT No.622189 dated July 12, 1994, duly renewed since then and covering goods in class 30;
- European Union trademark LINDT No.000134007 dated September 7, 1998, duly renewed since then and covering goods in class 30;
- International trademark LINDT (logo) No.1277242 dated October 7, 2015, duly renewed since then and covering goods in

classes 29, 30 and 32;

- International trademark LINDT (logo) No.1128456 dated May 25, 2012, duly renewed since then and covering goods and services in classes 6, 14, 16, 18, 21, 25, 28, 30, 35, 41 and 43.

The Complainant also owns the following domain name:

- <lindt.com> registered on December 16, 1997;
- <lindtusa.com> registered on October 11, 2001.

FACTUAL BACKGROUND

The Complainant, LINDT, founded in 1845 and based in Switzerland, produces chocolates from 12 of its own production sites in Europe and the United States. Its products are sold by 38 subsidiaries and branch offices, as well as via a network of over 100 independent distributors. The Complainant also runs more than 500 of its own shops and employs approximately 15,000 people. In 2024, the Complainant generated approximately USD 843 million in chocolate sales in the United States.

The Respondent registered the disputed domain name < lindtchocolate-usa.com > on December 22, 2025.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.
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

Identity (paragraph 4(a)(i) of the Policy)

The Panel finds that the disputed domain name <lindtchocolate-usa.com> is confusingly similar to the Complainant’s LINDT trademarks.

Indeed, the Complainant’s LINDT trademarks are incorporated in the disputed domain name in their entirety. The only difference lies in the addition of the terms “chocolate”, “usa” and a hyphen, which do not reduce the likelihood of confusion. The Panel follows in this respect the view established by numerous other decisions that a domain name which wholly incorporates a Complainant's registered trademark may be sufficient to establish confusing similarity (See WIPO Case No. D2003-0888, Dr. Ing. h.c. F. Porsche AG v. Vasiliy Terkin <porscheautoparts.com>).

Thus, the Panel finds that the disputed domain name is confusingly similar to Complainant’s trademarks.

Absence of Rights or Legitimate Interests (paragraph 4(a)(ii) of the Policy)

The Complainant asserted that the Respondent has never been granted a license, or in any other way been authorized, in order to use the Complainant’s LINDT trademarks in the disputed domain name <lindtchocolate-usa.com>. In addition, the Respondent never sought the consent of the Complainant in order to register the aforementioned domain name. Consequently, the Panel finds that the Respondent lacks any right or legitimate interest in using the disputed domain name.

The Panel further observes that there has been no evidence showing that Respondent has been commonly known by the disputed domain name or owns any registered trademark rights with respect to the disputed domain names. Respondent is known to this Panel only as asdasd.

Moreover, the Panel confirms that the disputed domain name refers to the Complainant and its activities, thereby creating a significant risk of implied affiliation. The disputed domain name resolved to a website that created a misleading impression of being affiliated with, authorized by, or endorsed by the Complainant. By reproducing the Complainant’s trademarks and purporting to offer goods also provided by the Complainant, without any prior disclaimer, the Respondent has intentionally sought to create confusion among Internet users. The associated collection of users’ personal data in this context further reinforces the misleading nature of the website. Such conduct does not constitute a bona fide offering of goods or services (See Philip Morris Products S.A. v. Shahzor Khan, WIPO Case No. D2022-3664).

Thus, the Panel concludes that the Respondent is neither using the disputed domain name in connection with a bona fide offering of goods or services, nor making a legitimate noncommercial or fair use of it.

Finally, the Respondent had the opportunity to provide its arguments in support of its rights or legitimate interests in the disputed domain name. However, by failing to file a response, the Respondent has missed this opportunity and the Panel is entitled to draw such inferences from the Respondent's failure as it considers appropriate in accordance with Paragraph 14 of the Rules.

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

Bad faith (paragraph 4(a)(iii) of the Policy.)

In the light of the records, the Panel notes that the Respondent was aware of the Complainant’s trademark registrations and rights to the LINDT trademarks when it registered the disputed domain name.

The disputed domain name contains in its entirety, without any authorization or approval, the Complainant’s registered and

renowned LINDT trademarks and refers to the Complainant's activities by adding the generic terms "chocolate" and "usa".

The disputed domain name was registered many years after the Complainant's renowned trademark was registered.

In addition, owing to the substantial presence established worldwide and on the Internet by the Complainant and the website configured on the domain name, namely an online LINDT store offering LINDT products for sale, it is at least very unlikely that the Respondent was not aware of the existence of the Complainant's trademarks when registering the disputed domain name.

Consequently, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark.

In addition, the collection of users' personal data in these circumstances is indicative of conduct consistent with a phishing scheme.

To the Panel's opinion, the disputed domain name was registered and used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

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

PANELLISTS

Name	**Nathalie Dreyfus**

DATE OF PANEL DECISION 2026-03-23

Publish the Decision