Decision for dispute CAC-UDRP-108393

Case number	CAC-UDRP-108393
Time of filing	2026-02-10 11:32:01
Domain names	lindtpralines.com

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	Jessica Miller

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 demonstrated ownership of rights in the trademark LINDT for the purposes of standing to file a UDRP Complaint.

The Complainant is the owner, amongst others, of the following trademark registrations:

- United States trademark registration No. 0087306 for LINDT (word mark), filed on December 19, 1910, and registered on July 9, 1912, in international class 30;

- International trademark registration No. 217838 for LINDT (word mark), registered on March 2, 1959, in class 30;

- International trademark registration No. 622189 for LINDT (word mark), registered on July 12, 1994, in class 30;

- European Union trademark registration No. 000134007 for LINDT (word mark), filed on April 01, 1996, and registered on September 07, 1998, in class 30;

- International trademark registration No. 936939 for LINDT (word mark), registered on July 27, 2007, in classes 06, 14, 16, 18, 21, 25, 28 and 41.

FACTUAL BACKGROUND

The Complainant is a well-known chocolate maker based in Switzerland. It produces chocolates from 12 own production sites in Europe and the United States, which are sold by over 35 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.

The Complainant is also the owner of several domain names encompassing its trademark LINDT, including <lindt.com>, registered on December 16, 1997, and used by the Complainant to promote and offer its chocolate and confectionery products, and <lindt-spruengli.com>, registered on June 25, 2007, and used in connection with the Complainant's corporate website.

The disputed domain name <lindtpralines.com> was registered on January 23, 2026, and currently resolves to an inactive website as it was suspended following the Complainant's take down activities prior to the start of this proceeding. Based on the screenshots submitted by the Complainant – which have not been contested by the Respondent -, the disputed domain name previously resolved to a website displaying the Complainant's trademarks and offering purported LINDT products for sale at discounted prices.

PARTIES CONTENTIONS

COMPLAINANT

The Complainant contends that the disputed domain name is confusingly similar to its trademark LINDT, as it reproduces the trademark in its entirety with the mere addition of the term "pralines" and of the generic Top Level Domain ("gTLD") ".com", which is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademark, especially considering the descriptive term "pralines" is directly associated with the Complainant's well-known chocolate and confectionery products.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name because: i) the Respondent has never been connected or affiliated to the Complainant and has been in no way licensed or consented by the Complainant to use the LINDT mark in any manner; ii) the Respondent does not have trademark rights for, nor is it commonly known by, 'lindtpralines' or any similar term; iii) the disputed domain name has not been used for a bona fide offering of goods or services or for a legitimate non-commercial use since, prior to the present proceeding, it resolved to a website that impersonated the Complainant by passing itself off as an official LINDT online store, displaying the Complainant's LINDT logo, images of LINDT-branded items offered at steeply discounted prices and a '© 2026 Lindt' copyright notice, without disclosing the identity of the website operator or providing any clarification regarding its relationship (or lack thereof) with the Complainant; iv) the circumstance that the disputed domain name no longer resolves to an active website and has been suspended following a successful takedown request sent by the Complainant prior to this proceeding, does not cure the Respondent's prior abusive use and similarly does not constitute a bona fide offering of goods or services, nor a legitimate non-commercial or fair use; and v) the nature of the disputed domain name, combining the Complainant's LINDT trademark with the term 'pralines', creates a high risk of implied affiliation as it refers to a category of chocolate and confectionery products that is closely associated with the Complainant and forms part of its well-known commercial offerings.

The Complainant submits that the Respondent registered the disputed domain name in bad faith since: i) the Complainant has accrued substantial goodwill and recognition in the LINDT brand, which was first registered as a trademark more than a century ago, and previous UDRP panels have indeed acknowledged the distinctiveness of, and renown and recognition attached to, the Complainant's LINDT mark; ii) the Respondent could not have been unaware of the Complainant at the time of registering the disputed domain name, since a simple online search for "lindt" or "lindtpralines" on any online search engine or on online trademark databases, would have returned results associated with the Complainant and its LINDT chocolate products, including its praline products; and iii) the composition of the disputed domain name itself demonstrates that the Respondent deliberately targeted the Complainant's trademark, since it combines the Complainant's distinctive and well-known LINDT mark with the term 'pralines', a product category closely associated with the Complainant's premium chocolate and confectionery offerings.

The Complainant further contends that the Respondent used the disputed domain name in bad faith and that its conduct falls squarely within the scope of paragraph 4(b)(iv) of the Policy, since the website to which the disputed domain name initially resolved was deliberately designed to impersonate the Complainant by presenting itself as an official LINDT online store, prominently displaying the Complainant's LINDT trademark and imagery of LINDT-branded products, whilst offering those products at steeply discounted prices, incorporating standard e-commerce functionalities, including a shopping cart and a checkout process requesting users' personal and payment details. The Complainant therefore submits that the disputed domain name was used to create a likelihood of confusion as to source, sponsorship, affiliation, or endorsement of the correspondent website for commercial gain. The Complainant further highlights that the absence of any disclaimer, combined with footer text falsely suggesting LINDT ownership or authorship, further reinforced this deception, amounting to brand impersonation and exposing users to a risk of phishing or fraud.

Lastly, the Complainant states that the circumstance that the disputed domain name has been suspended and is thus not actively used does not prevent a finding of bad faith use under the doctrine of passive holding, considering the prior use of the disputed domain name for impersonation and deceptive conduct, the distinctiveness and widespread reputation of the LINDT trademark, the composition of the disputed domain name, and the absence of any plausible good faith use of the same in any manner that would not mislead or exploit internet users.

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

1. The Complainant has provided evidence of ownership of valid trademark registrations for LINDT.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark as it reproduces the trademark LINDT in its entirety with the mere addition of the descriptive term "pralines" followed by the gTLD ".com". As stated in prior decisions rendered under the UDRP, where relevant trademark is recognizable within the disputed domain name, the addition of other terms and of the gTLD is not sufficient to prevent a finding of confusing similarity under the first element.

Therefore, the Panel finds that the Complainant has demonstrated that the disputed domain name is confusingly similar to a trademark in which the Complainant has established rights according to paragraph 4(a)(i) of the Policy.

2. With reference to the Respondent's rights or legitimate interests in the disputed domain name, the Panel finds that the Complainant has made a prima facie case and that the Respondent, by not submitting a Response, has failed to provide any element from which a Respondent's right or legitimate interest in the disputed domain name could be inferred.

The Panel notes that, based on the records, the Respondent has not been authorized or licensed by the Complainant to use its trademark LINDT. Moreover, there is no evidence that the Respondent might be commonly known by the disputed domain name or a name corresponding to the disputed domain name.

As highlighted above, the disputed domain name resolved - prior to the present proceeding - to a website displaying the Complainant's trademark, also in the copyright notice, and images of LINDT-branded items, which were offered for sale at discounted prices. Moreover, the website did not include any information about the website operator or any disclaimer of non-affiliation with the Complainant. The Panel finds that the disputed domain name was not used in connection with a bona fide offering of goods or services or legitimate non-commercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark. Indeed, the Panel notes that content of the Respondent's website was apparently designed to reinforce the impression that it was a website operated by the Complainant or by one of its affiliated entities with the Complainant's consent.

Moreover, the Panel finds that the disputed domain name is inherently misleading, as it combines the Complainant's distinctive and well-known trademark LINDT with the term "pralines", which is descriptive of the Complainant's products. Therefore, the disputed domain name carries a high risk of implied affiliation with the Complainant.

Therefore, the Panel finds that the Complainant has demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain name according to paragraph 4(a)(ii) of the Policy.

3. As to bad faith at the time of the registration, the Panel finds that, in light of the Complainant's prior registration and use of the

trademark LINDT and considering the well-known character of the trademark, the Respondent was or should have been aware of the Complainant when it registered the disputed domain name on January 23, 2026.

In view of the above-described use of the disputed domain name in connection with a website reproducing the Complainant's trademarks and offering purported LINDT products for sale, without disclaiming the lack of relationship with the Complainant, the Panel finds that the Respondent was actually aware of the LINDT trademark at the time of registration and it used the disputed domain name to intentionally attempt to attract Internet users to its website for commercial gain, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of its website, according to paragraph 4(b)(iv) of the Policy.

The disputed domain name does not currently resolve to an active website as it was suspended as a result of the Complainant's take down activities. As established in a number of prior UDRP cases, the concept of "bad faith use" in paragraph 4(b) of the Policy includes not only positive action but also passive holding. In the present case, in light of: i) the composition of the disputed domain name, which incorporates the Complainant's trademark LINDT in its entirety in combination with a descriptive term "pralines"; ii) the Respondent's failure to submit a Response to provide any evidence of actual or contemplated good-faith use of the disputed domain name; and iii) the implausibility of any good faith use to which the disputed domain name may be put, the Panel finds that the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Therefore, the Panel finds that the Complainant has also demonstrated that the Respondent registered and is using the disputed domain name in bad faith according to 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. **lindtpralines.com**: Transferred

PANELLISTS

Name	**Luca Barbero**

DATE OF PANEL DECISION 2026-03-23

Publish the Decision