Decision for dispute CAC-UDRP-108403

Case number	CAC-UDRP-108403
Time of filing	2026-02-11 10:06:42
Domain names	ghlrardelili.store

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	pi te

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 bases its Complaint, among others, on the following trademarks:

- Unites States of America national trademark “GHIRARDELLI”, no. 205776, registered on 17 November 1925, for goods in class 30;
- International trademark registration “GHIRARDELLI”, no. 826074, registered on 30 March 2004, for goods and services in classes 30, 35, 43;
- European Union trademark “GHIRARDELLI”, no. 003716453, registered on 27 July 2005, for goods and services in classes 30, 35, 42, 43.

FACTUAL BACKGROUND

Founded in 1845, the Complainant is a Swiss chocolate maker. As a leader in the market for premium quality chocolate, the Complainant produces quality 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.

The Complainant acquired the Ghirardelli Chocolate Company (“Ghirardelli”) in 1998. Founded in 1852, Ghirardelli is one of the

oldest chocolate manufacturers in the United States and is headquartered in San Francisco, California. In 2024, Ghirardelli reported sales of USD 888 million. Its products are distributed through an extensive network of company-owned stores, retail partners, and wholesale channels.

The Complainant is the owner, among others, of the GHIRARDELLI trademarks cited above.

The Complainant maintains a strong online presence associated with the GHIRARDELLI mark, including an official Instagram account with more than 170,000 followers, as well as ownership of the domain name <ghirardelli.com>, registered on 24 June 1998, which provides comprehensive information about the Complainant and its GHIRARDELLI-branded products.

The disputed domain name <ghlrardelili.store> was registered on 15 September 2025 and at the time when the Complaint was filed did not resolve to an active website. However, based on the evidence available in the file, the disputed domain name resolved, before it was taken down, to a website that created the impression of being affiliated with, authorised by, or endorsed by the Complainant in relation to its GHIRARDELLI brand and products.

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.

The Complainant's contentions are the following:

The disputed domain name <ghlrardelili.store> is confusingly similar to the Complainant's trademark GHIRARDELLI, that the Respondent lacks rights or legitimate interests in the disputed domain name for a number of reasons and that the disputed domain name was registered and is being used in bad faith.

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. Confusing Similarity

The Panel agrees that the disputed domain name <ghlrardelili.store> is confusingly similar to the Complainant's trademark

GHIRARDELLI. The disputed domain name <ghlrardelili.store> represents a typosquatting version of the trademark GHIRARDELLI, reproducing this trademark with the misspelling of its first vowel “i” with the letter “l”, and additionally inserting an “i” between the two “l” letters in its final syllable, which is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant’s trademark and it does not change the overall impression of the designation as being connected to the trademark GHIRARDELLI.

A domain name that consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark, as is the case. (WIPO Overview of WIPO Panel Views on Select UDRP Questions (“WIPO Overview 3.1”), point 1.9).

Moreover, the extension “.store” is not to be taken into consideration when examining the similarity between the Complainant’s trademark and the disputed domain name (WIPO Case No. D2005-0016, Accor v. Noldc Inc.). The mere adjunction of a gTLD such as “.store” is irrelevant as it is well established that the generic Top Level Domain is insufficient to avoid a finding of the confusing similarity (WIPO Case No. 2013-0820, L’Oréal v Tina Smith, WIPO Case No. D2008-0820 Titoni AG v Runxin Wang and WIPO Case No. D2009-0877, Alstom v. Itete Peru S.A.).

Therefore, the Panel is satisfied that the first condition under the Policy is met.

2. Lack of Respondent's rights or legitimate interests

The Complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests. Once such a prima facie case is made, the burden of proof shifts to the respondent to come forward with appropriate allegations or evidence demonstrating rights or legitimate interests in the disputed domain name. If the respondent fails to come forward with such appropriate allegations or evidence, a complainant is generally deemed to have satisfied paragraph 4(a)(ii) of the UDRP.

Based on the available evidence, the Respondent does not appear to be known by the disputed domain name as such is not identified in the WHOIS database as the disputed domain name or by the term “ghlrardelili”. The Complainant has never authorised the Respondent to make use of its trademark, nor of a confusingly similar trademark in the disputed domain name.

Based on the available evidence, the disputed domain name resolved, before it was taken down, to a website that created the impression of being affiliated with, authorised by, or endorsed by the Complainant in relation to its GHIRARDELLI brand and products as it incorporated the GHIRARDELLI brand mark on top of the website, displayed images of Ghirardelli-branded products and encouraged users to purchase them with a significant discount, prompted users to provide personal information – including name, address, email, phone number and credit card number – when interacting with the site and proceeding to checkout, did not disclose in a clear and prominent manner its lack of relationship with the Complainant.

The above does not amount to a bona fide offering of goods or services, or to a legitimate noncommercial or fair use of the disputed domain name.

The Panel notes that the Respondent had an opportunity to comment on the Complaint’s allegations by filing a Response, which the Respondent failed to do.

Thus, the Panel is satisfied that the Complainant has at least established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Accordingly, the Panel takes the view that also the second requirement under the Policy is met.

3. Bad Faith

Based on the available evidence, the Complainant's GHIRARDELLI marks predate the registration date of the disputed domain name. Thus, the Respondent has chosen to register the disputed domain name representing a typosquatting version of the Complainant’s GHIRARDELLI trademark in order to create a confusion with such trademark. Therefore, the Panel concludes that at the time of registration of the disputed domain name, the Respondent was well aware of the Complainant’s GHIRARDELLI trademark and has intentionally registered one in order to create confusion with such trademark.

In the present case, the following factors should be considered:

(i) the Complainant's GHIRARDELLI marks predate the registration date of the disputed domain name;

(ii) the Respondent failed to submit any response and has not provided any evidence of actual or contemplated good faith use of the disputed domain name;

(iii) the Respondent registered the disputed domain name representing a typosquatting version of a registered trademark;

(iv) the Respondent was not authorised to use a domain name similar to the Complainant's trademark;

(v) the disputed domain name resolved, before it was taken down, to a website that created the impression of being affiliated with, authorised by, or endorsed by the Complainant in relation to its GHIRARDELLI brand and products as it incorporated the GHIRARDELLI brand mark on top of the website, displayed images of Ghirardelli-branded products and encouraged users to purchase them with a significant discount, prompted users to provide personal information – including name, address, email, phone

number and credit card number – when interacting with the site and proceeding to checkout, did not disclose in a clear and prominent manner its lack of relationship with the Complainant.

In light of the foregoing, the Panel concludes that the Respondent has registered and has been using the disputed domain name in bad faith. Thus, also the third and last condition under the Policy is satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **ghlrardelili.store**: Transferred

PANELLISTS

Name	**Delia-Mihaela Belciu**

DATE OF PANEL DECISION 2026-03-24

Publish the Decision