Decision for dispute CAC-UDRP-108385

Case number	CAC-UDRP-108385
Time of filing	2026-02-04 10:08:17
Domain names	alarlamborghiniargentina.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Automobili Lamborghini s.p.a.

Complainant representative

Organization	Nctm Studio Legale

Respondent

Name	Axel Santos

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant has adduced documentary evidence showing that it is the owner of a very extensive portfolio of trademarks internationally, both in connection with its LAMBORGHINI brand and particular vehicles or series of them that it produces. It suffices to mention only three from the portfolio for the purposes of this proceeding:

- For the brand LAMBORGHINI, Italian trademark No. 0001606272, registered on 10 September 2014 in Nice Classification List classes 7 (which includes land vehicle engines) and 12 (which includes vehicles). This trademark is a figurative one that includes the word LAMBORGINI prominently in it. While registered only in 2014, the trademark certificate refers to the first registration in 1978 based upon an original filing in 1974 -- i.e. trademark protection was initially sought forty years previously.

- For AUTOMOBILI LAMBORGHINI, EU trademark No. 001100221, registered on 11 July 2000 in Nice Classification List classes 3, 7, 9, 12, 14, 16, 18, 20, 21, 25, 27, 28, 34, 36, 37 and 41. This trademark is a word mark.

- For LAMBORGHINI, Argentinian trademark No. 2425741, registered on 21 February 2011 in the Nice Classification List class 12. This mark is a combined figurative and word mark.

The Complainant further adduced screenshot evidence of its registration of the domain name <lamborghini.com>, registered on 16 September 1996.

The disputed domain name <alarlamborghiniargentina.com> was registered by the Respondent on 21 September 2022, according to

the Registrar Verification obtained by the CAC Case Administrator.

FACTUAL BACKGROUND

The Complainant is the well-known Italian sports car manufacturing company, founded in 1963 by Ferruccio Lamborghini. Since 1998, the Complainant has been a wholly owned subsidiary of Audi AG, one of the leading car manufacturers worldwide. Lamborghini vehicles are amongst the world's most famous luxury sports cars, and the Complainant's 60-year old business continues to grow, achieving its best-ever performance in terms of global turnover in 2024at over EUR 3 billion, a year in which it sold more than 10,000 cars. The quality and performance of the Complainant's cars have been recognized in many prestigious prizes it has won internationally.

The Complainant adduced evidence showing past content displayed on a website which resolves to the disputed domain name and which unambiguously associates the website and those behind it with Lamborghini vehicles. It in particular highlights the Complainant's reputation for quality and prestige and claims to offer access to a special line of its vehicles. The Complainant also provided screenshots of its own website in order to show how the design of the <alarlamborghiniargentina.com> website resembles its own. The same evidence from the <alarlamborghiniargentina.com> site contains text purporting to be from Lamborghini itself about its products, while other text, in sharp contrast, includes promotion of alcoholic beverages, financial services and garbage disposal technology services.

For its part, the Panel during its routine scrutiny of the case file found that the registration details provided by the Respondent bore no connection to the details mentioned on the website resolving to the disputed domain name. Upon brief further inquiry pursuant to its general powers the Panel discovered that the postal address details given on the <alarlamborghiniargentina.com> website correspond to a genuine address but one which is simply a residential dwelling. In addition, it found indications that the term "alar" in the disputed domain name may refer to a concept for a car by an Argentinian designer that the Complainant had declined to authorize under the Lamborghini brand.

PARTIES CONTENTIONS

COMPLAINANT:

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

- the disputed domain name is confusingly similar to its protected Lamborghini mark from a visual, conceptual and aural point of view; it fully incorporates the mark, and, while it combines this with the geographic indication “Argentina” and the term “alar”, these additions in no way detract from the dominant distinctiveness of the Complainant's trademark;

- the Respondent is completely unaffiliated to the Complainant, which has never – directly or indirectly – granted the Respondent any right to employ its valued Lamborghini trademark; rather, the evidence in this case shows clearly that the Respondent is using the disputed domain name in a manner that is wrongfully instrumental to inducing the public to believe that the Respondent may be an emanation of the Complainant in Argentina, so excluding any possibility of legitimate right or interest on the Respondent's behalf;

- far indeed from offering any bona fide goods or services, the evidence shows that the elaborate imitation by the Respondent of the Complainant's website format serves to attract internet users to the Respondent’s bogus site in order, in violation of the Complainant's rights, to offer unrelated merchandise and services for the Respondent's commercial gain, so constituting clear bad faith use in conjunction with bad faith registration based on the Respondent's self-evident intention to exploit the Complainant's brand and good name.

RESPONDENT:

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical or confusingly similar to trademarks 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 interest 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 that 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 that there is no other reason why it would be inappropriate to provide a decision.

The Panel notes that its résumé of the Parties' contentions includes for the Complainant only its main arguments pertinent to reaching a decision in this proceeding; it omits in particular several references to past ADR Panels' Decisions as well as contentions based on claims that the Complainant avers it is currently pursuing or has pursued in court proceedings in Argentina. The Panel finds that consideration of the substance and potential merits of such court proceedings is not germane to the Panel reaching a decision, given the quality of the evidence before it relative to the scope of the UDRP's criteria for arriving at a determination.

PRINCIPAL REASONS FOR THE DECISION

The Panel, in relation to the UDRP's cumulative three-part test, FINDS that:

(1) The Complainant has fully established its rights to protection by trademark of its LAMBORGHINI brand and that the incorporation of its trademark prominently in the disputed domain name creates confusing similarity with that brand, whereas neither the technical extension <.com> nor the addition of the geographical indicator of "Argentina" in any way affects such confusing similarity. As to the inclusion of the term "alar" at the beginning of the disputed domain name's stem, this does not affect the Panel's finding in the circumstances because it does not bear any semantic significance that serves to reduce the prominence of the protected brand and thus the disputed domain name's confusing similarity with it. Equally, the Panel does not consider it necessary in reaching a finding to consider further the results of its own brief investigation of an attempt (in 2007) to introduce an "Alar" concept vehicle into the Lamborghini range since, if correct, those results would not be likely to reduce the confusing similarity found but instead would probably only increase it. The first part of the UDRP test is thus FULFILLED.

(2) There is in this proceeding only evidence supporting the pursuit of illegitimate interests and methods on the Respondent's part, particularly by presenting itself as an emanation of the Complainant without any basis to do so. This therefore EXCLUDES a finding in favour of the Respondent under the second part of the UDRP test.

(3) Incongruous as it may seem, the bogus website that the Respondent appears to have invested in to mimic that of the Complainant seems ultimately oriented to generate commercial gain to the Respondent on the basis of offerings completely unrelated to high-end sports cars, namely, products and services that include waste disposal. Odd though this business approach may be, it nevertheless depends -- and clearly depended at registration already -- on an appreciation of, and purported association with, the Complainant's reputation in its area of business; pursuit of such a scheme ineluctably also tarnishes the Complainant’s reputation. Such conduct is thereby a clear instance of bad faith registration and use, meaning that the third and final part of the UDRP test is thus FULFILLED.

For these reasons, the Panel ORDERS the transfer of the disputed domain name to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **alarlamborghiniargentina.com**: Transferred

PANELLISTS

Name	**Kevin Madders**

DATE OF PANEL DECISION 2026-03-24

Publish the Decision