Decision for dispute CAC-UDRP-108439

Case number	CAC-UDRP-108439
Time of filing	2026-02-26 10:40:16
Domain names	lindtia.com

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	Jony MAICK

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 the word mark “LINDT” worldwide in International Class 30. For the purposes of this decision, the Panel does not consider it necessary to list all such registrations, but notes in particular United States Trademark Registration No. 87306, registered on July 9, 1912, and European Union Trademark Registration No. 134007, registered on September 7, 1998 (collectively, the “LINDT Trademark”).

FACTUAL BACKGROUND

The Complainant is a Swiss chocolate manufacturer founded in 1845. It operates 12 production sites across Europe and the United States, where the Respondent is located. The company employs approximately 15,000 people and reported sales of CHF 5.47 billion in 2024.

The Complainant controls numerous domain names incorporating the LINDT mark, which are used to promote and offer its products worldwide. In particular, the Complainant owns and uses the domain names <lindt.com> and <lindtusa.com> for its online presence and commercial activities.

The disputed domain name <lindtia.com> was registered on 18 October 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

Rights

The Complainant has established that it is the owner of trademark registrations for the word “LINDT,” including in the United States and the European Union. The Panel finds that the Complainant’s LINDT Trademark is clearly recognizable within the disputed domain name. Where a domain name incorporates the entirety of a trademark, it will normally be considered confusingly similar to that mark for purposes of UDRP standing (see WIPO Overview 3.0, section 1.7).

The addition of the letters “ia” following the Complainant’s LINDT Trademark does not prevent a finding of confusing similarity, as this element has no apparent meaning and is insufficient to distinguish the disputed domain name from the Complainant’s mark (see WIPO Overview 3.0, section 1.8).

Furthermore, the inclusion of the generic Top-Level Domain (“gTLD”) “.com” is a standard technical requirement of domain registration and is disregarded when assessing identity or confusing similarity (see Rollerblade, Inc. v. Chris McCrady, WIPO Case No. D2000-0429).

No Rights or Legitimate Interests

A complainant is required to establish a prima facie case that the respondent lacks rights or legitimate interests. Once such a case is made, the burden of proof shifts to the respondent to demonstrate their rights or legitimate interests in the disputed domain name. Failure to do so results in the complainant satisfying paragraph 4(a)(ii) of the Policy (as per Article 2.1 of WIPO Jurisprudential Overview 3.0 and WIPO Case No. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

In the present case, based on the Complainant’s submission, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests.

Particularly, based on the screenshots of the website associated with the disputed domain name, the Panel concurs with the Complainant that the Respondent used the website to impersonate the Complainant by creating the impression of an official German LINDT online store. The website prominently displayed the Complainant’s LINDT trademark and product images while offering goods at discounted prices and inviting users to provide personal and payment information, thereby misleading Internet

users as to its source and affiliation.

The Panel further notes that the website failed to accurately and prominently disclose the identity of the operator or any lack of relationship with the Complainant. On the contrary, its overall presentation reinforced the false impression that it was operated by, or officially connected to, the Complainant. In these circumstances, even if the website were used for the sale of genuine LINDT products, such use would not satisfy the Oki Data criteria, particularly the requirement of clear disclosure of the Respondent's relationship with the trademark owner. Accordingly, the Panel finds that such use does not confer rights or legitimate interests on the Respondent.

Accordingly, in the absence of any evidence from the Respondent to rebut the Complainant's prima facie case, the Panel finds that the Respondent lacks rights or legitimate interests in the disputed domain name. The second element of the Policy is therefore satisfied.

Bad Faith

In assessing whether the disputed domain name was registered and is being used in bad faith, the Panel has considered the overall circumstances of the case.

The Complainant has established that the LINDT Trademark is distinctive and widely known internationally in connection with chocolate products. In this regard, the Panel has taken particular note of prior UDRP decisions recognizing the reputation of the Complainant's LINDT Trademark. The Complainant's trademark rights also long predate the registration of the disputed domain name: the LINDT Trademark has been registered in the United States since 1912, whereas the disputed domain name was registered only in 2025. The Respondent is in the United States, where the Complainant holds longstanding trademark rights and has an active commercial presence. In these circumstances, the Panel finds it implausible that the Respondent registered the disputed domain name without knowledge of the Complainant and its rights.

That inference is reinforced by the Respondent's use of the disputed domain name. The disputed domain name incorporates the Complainant's LINDT Trademark in its entirety and, prior to the filing of the Complaint, resolved to a website that impersonated the Complainant by creating the impression of an official German LINDT online store.

The Panel further notes that, at the time of filing of the Complaint, the disputed domain name had been suspended and no longer resolved to an active website. However, passive holding does not preclude a finding of bad faith in appropriate circumstances (see Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003; WIPO Overview 3.0, section 3.3). Given the reputation of the LINDT Trademark, the Respondent's prior impersonating use of the disputed domain name, and the Respondent's failure to reply or provide any evidence of good-faith use, the Panel finds that the disputed domain name is being 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. **lindtia.com**: Transferred

PANELLISTS

Name	**Karel Šindelka**

DATE OF PANEL DECISION 2026-04-04

Publish the Decision