Decision for dispute CAC-UDRP-108496

Case number	CAC-UDRP-108496
Time of filing	2026-03-17 12:43:21
Domain names	giradelli.com

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	Domain Privacy

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 (the "Domain Name").

IDENTIFICATION OF RIGHTS

The Complainant relies upon numerous registered trade marks worldwide that comprise or incorporate the term GHIRARDELLI.

They include:

(i) United States registered trade mark no 205776 for GHIRARDELLI as a standard character mark with a filing date of 21 May 1925 and with a registration date of 17 November 1925 in class 30;

(ii) European Union registered trade mark no 003716453 for GHIRARDELLI as a word mark with a filing date of 17 March 2004 and with a registration date of 27 July 2005 in classes 30, 35, 42, and 43; and

(iii) International registered trade mark no 826074 for GHIRARDELLI as a word mark with a filing date of 30 March 2004 in classes 30, 35, and 43, and which has proceeded to grant at least in part in nine jurisdictions.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT

The Complainant, founded in 1845, is a well-known chocolate maker based in Switzerland. As a leader in the market of premium quality chocolate, the Complainant produces chocolates from 12 own production sites in Europe and the United States. These are sold by over 35 subsidiaries and branch offices, as well as via a network of more than 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. Ghirardelli, one of the oldest US-based chocolate companies, was founded in 1852 and is headquartered in San Francisco, California. In FY 2024, Ghirardelli reported sales of USD 888 million. Ghirardelli chocolates are sold through numerous stores, retail partners and wholesale distributors.

The Complainant advertises and sells its confectionery products to consumers online through its official website from the domain name <ghirardelli.com>, a domain name registered in 1998.

The Complainant's GHIRARDELLI offerings are frequently featured in lists collating the most popular chocolate brands in the world.

The Domain Name was registered on 4 January 2026.

The Complainant sent a notice to the Respondent in early February 2026, drawing the Respondent's attention to the Complainant's trade mark rights and requesting the Domain Name's transfer. The Respondent did not reply to this correspondence.

At the time of the Complainant, the Domain Name resolved to a site which, under the heading 'Buy this domain', presents categories including 'PERSONALIZED CHOCOLATE GIFTS' and 'GOURMET DARK CHOCOLATE DELIVERY'. These categories contain pay-per-click ('PPC') links directing internet users to third-party websites and services, a number of which compete with or are otherwise related to the Complainant's field of business, including chocolate products and gift retailers.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the 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 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 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 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

The Panel accepts (as the Complainant alleges) that this is a case of deliberate typosquatting. Absent any argument or evidence to

the contrary, the Panel accepts that the most sensible reading of the Domain Name is as a misspelling of the Complainant's Ghirardelli brand and trade mark, with the omission of the letters “h” and "r", combined with the ".com" Top Level Domain. The omission of the letters "h" and "r" is also the only difference between the Domain Name and the domain name used by Complainant for its business under that brand.

It follows from this that the Complainant's mark is clearly recognisable in the Domain Name and that the Complainant thereby holds a mark that is "confusingly similar" to the Domain Name as that term is understood under the Policy. In this respect see section 1.7 and 1.9 the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (the “WIPO Overview 3.1”). The Complainant has, therefore, made out the requirements of paragraph 4(a)(i) of the Policy.

Further, typosquatting usually signals an intention on the part of the respondent to confuse users seeking or expecting the complainant (see section 1.9 of the WIPO Overview 3.1). There is no right or legitimate interest in holding a domain name for that purpose and this also usually constitutes evidence that no such right or legitimate interest exists. Also, the registration and holding of a domain name to take advantage of such actual or potential confusion will usually involve bad faith registration and use (see sections 3.1.4 and 3.2.1 of the WIPO Overview 3.0) and the Panel holds that this is so in this case.

Further, the Panel is satisfied that the parking page use made of the Domain Name falls within the scope of the example of circumstances evidencing bad faith registration and use set out in paragraph 4(b)(iv) of the Policy.

Further, the Panel also accepts the Complainant's contention that this is a "Russian Doll" scenario (described in section 3.6 of the WIPO Overview 3.1) where the underlying registration data provided by the Registrar discloses what appears to be a further privacy service. This supports a finding of bad faith registration and use.

The Complainant has, therefore, made out the requirements of paragraph 4(a)(ii) and 4(a)(iii) of the Policy.

The Panel also notes the Complainant’s contentions about the Domain Name being set up with MX records, but there is no evidence before it that the Domain Name has been used for e-mail. Further, the Panel understands that many registrars configure those records as a matter of course and that this is not necessarily a reliable indicator of a respondent’s intentions. However, the Panel does not need to make any findings in this respect for it to come to its decision in this case.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **giradelli.com**: Transferred

PANELLISTS

Name	**Matthew Harris**

DATE OF PANEL DECISION 2026-04-16

Publish the Decision