Decision for dispute CAC-UDRP-108529

Case number	CAC-UDRP-108529
Time of filing	2026-03-26 09:52:40
Domain names	arlafoodsco.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Arla Foods Amba

Complainant representative

Organization	Abion GmbH

Respondent

Name	Alfred Oberling

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 <arlafoodsco.com>.

IDENTIFICATION OF RIGHTS

The Complainant, Arla Foods Amba, is the owner of numerous trademark registrations for the marks ARLA and ARLA FOODS in multiple jurisdictions worldwide.

These include, for example:

- United States trademark registration ARLA No. 3325019, registered on October 30, 2007;
- United States trademark registration ARLA No. 3651489, registered on July 7, 2009;
- International trademark registration ARLA No. 731917, registered on March 20, 2000;
- International trademark registration ARLA FOODS No. 1829124, registered on October 2, 2024.

These trademark registrations predate the registration of the disputed domain name <arlafoodsco.com>.

The Complainant also operates domain names incorporating its ARLA mark, including <arlausa.com>, which it uses in connection with its business activities.

The Panel notes that the ARLA mark has been recognized in prior UDRP decisions as a well-known trademark.

FACTUAL BACKGROUND

The Complainant is a global dairy company headquartered in Denmark and owned by more than 12,500 cooperative dairy farmers. It was established in 2000 through the merger of the Danish cooperative MD Foods and the Swedish cooperative Arla ekonomisk Förening. As of 2024, the Complainant employs approximately 21,895 full-time employees and reported a global revenue of EUR 13.8 billion.

The Complainant produces and markets a wide range of milk-based products under several internationally recognized brands, including ARLA, LURPAK, CASTELLO and APETINA. The Complainant maintains a strong global presence and operates an extensive online infrastructure, including its official websites and social media platforms.

The Complainant also has a significant business presence in the United States, including through its subsidiaries Arla Foods Inc. and Arla Foods Hollandtown Dairy, and operates domain names such as <arlausa.com> in connection with its activities.

The Complainant owns numerous domain names incorporating its ARLA and ARLA FOODS trademarks, including <arla.com>, <arlafoods.com>, <arlafoodsusa.com>, and <arlafoods-group.com>, which resolve to its official websites.

The disputed domain name <arlafoodsco.com> was registered on February 17, 2026.

At the time of filing of the Complaint, the disputed domain name resolved to an inactive website. However, the record shows that the disputed domain name has been configured with active MX records and has been used in connection with email communications.

PARTIES CONTENTIONS

COMPLAINANT:

1. The disputed domain name is confusingly similar to the Complainant's trademark

The Complainant submits that it has established rights in the ARLA and ARLA FOODS trademarks by virtue of its registered trademark portfolio, which predates the registration of the disputed domain name.

According to the Complainant, the disputed domain name <arlafoodsco.com> incorporates its ARLA and ARLA FOODS trademarks in their entirety, with the addition of the term "co," commonly understood as an abbreviation for "company."

The Complainant contends that this addition is descriptive and does not prevent a finding of confusing similarity, as the ARLA and ARLA FOODS trademarks remain clearly recognizable within the disputed domain name.

The Complainant further relies on established UDRP practice, as reflected in WIPO Overview 3.0, section 1.8, according to which the addition of descriptive or non-distinctive terms does not avoid a finding of confusing similarity where the relevant trademark is otherwise recognizable.

The Complainant also notes that the generic Top-Level Domain ".com" is a standard registration requirement and is disregarded for the purpose of assessing confusing similarity.

On this basis, the Complainant submits that the disputed domain name is confusingly similar to its ARLA and ARLA FOODS trademarks within the meaning of paragraph 4(a)(i) of the Policy.

2. The Respondent has no rights or legitimate interests in the disputed domain name

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name.

The Complainant states that it has not licensed, authorized, or otherwise permitted the Respondent to use its ARLA or ARLA FOODS trademarks in any manner, including in the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name or owns any corresponding trademark rights.

The Complainant further contends that searches for the terms "arlafoodsco" or "arla foods co" return results exclusively related to the Complainant, and no evidence has been found linking the Respondent, identified as "Alfred Oberling," to the disputed domain name. According to the Complainant, this confirms that the Respondent is not commonly known by the disputed domain name.

The Complainant also notes that the Respondent initially used a privacy service and that the disclosed registrant details include the address of the Complainant's U.S. entity, which, in the Complainant's view, indicates awareness of the Complainant and its business.

According to the Complainant, the structure of the disputed domain name—comprising the ARLA and ARLA FOODS trademarks together with the term "co"—reinforces the false impression that the disputed domain name is affiliated with or authorized by the Complainant. The Complainant emphasizes that it has long operated under the domain name <arlafoods.com>, and that the addition of "co" is insufficient to distinguish the disputed domain name from its established online presence.

The Complainant relies on UDRP practice, as reflected in WIPO Overview 3.0, section 2.5.1, according to which domain names

incorporating a complainant's trademark may carry a high risk of implied affiliation and cannot constitute fair use where they suggest sponsorship or endorsement.

The Complainant further submits that the disputed domain name has not been used in connection with a bona fide offering of goods or services, nor for any legitimate noncommercial purpose. Instead, the disputed domain name was used as part of a phishing and impersonation scheme targeting the Complainant's business partners.

In particular, the Complainant alleges that the Respondent created email addresses under the disputed domain name impersonating employees of the Complainant and used them to communicate with third parties, including in connection with credit applications and requests for sensitive information. According to the Complainant, this conduct involved the unauthorized use of the Complainant's name, corporate details, and employee identities, thereby misleading recipients into believing that the communications originated from the Complainant.

The Complainant submits that such use constitutes fraudulent activity and, in line with established UDRP practice (WIPO Overview 3.0, section 2.13.1), cannot confer rights or legitimate interests on the Respondent.

Accordingly, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

3. The disputed domain name was registered and is being used in bad faith

The Complainant submits that the disputed domain name was registered and is being used in bad faith.

According to the Complainant, the disputed domain name was registered many years after the Complainant's ARLA and ARLA FOODS trademarks, which are well known and widely used worldwide. The Complainant contends that, given its global presence and online visibility, the Respondent must have been aware of the Complainant and its trademarks at the time of registration.

The Complainant further argues that the structure of the disputed domain name—incorporating the ARLA and ARLA FOODS trademarks together with the term "co"—demonstrates that the Respondent registered the domain name with the Complainant and its business in mind, with the intention of creating a likelihood of confusion as to affiliation or authorization.

The Complainant also notes that the Respondent used the address of the Complainant's U.S. entity as its own registrant address, which, in its view, further evidences knowledge of the Complainant and its rights.

In addition, the Complainant submits that the disputed domain name has been used as part of a phishing and impersonation scheme targeting the Complainant's business partners. According to the Complainant, the Respondent configured the disputed domain name for email use and created email addresses impersonating employees of the Complainant, which were used to communicate with third parties and request sensitive information.

The Complainant contends that such conduct constitutes an intentional attempt to exploit the Complainant's reputation and to mislead third parties for fraudulent purposes.

The Complainant further notes that, although the disputed domain name does not currently resolve to an active website, it is configured with active MX records and has been used for deceptive email communications. According to the Complainant, the absence of an active website does not prevent a finding of bad faith where the domain name is used in connection with fraudulent activity.

The Complainant relies on established UDRP practice, according to which the use of a domain name for impersonation, phishing, or other deceptive practices constitutes evidence of bad faith registration and use (WIPO Overview 3.0, section 3.4).

Accordingly, the Complainant submits that the Respondent registered and used the disputed domain name in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

Therefore, the Complainant contends that the requirements of the Policy have been met and that the disputed domain names should be transferred to it.

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

The UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY of the Internet Corporation for Assigned Names and Numbers (ICANN) (the "Policy") provides that a complainant must prove each of the following to obtain transfer or cancellation of a domain name:

1. that respondent's domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights; and

2. that respondent has no rights or legitimate interests in respect of the domain name; and

3. the domain name has been registered and is being used in bad faith.

1) The disputed domain name is confusingly similar to a trademark in which the Complainant has rights (Para.4(a)(i) of the Policy).

The Panel is satisfied that the Complainant holds valid trademark rights in the ARLA and ARLA FOODS marks.

The disputed domain name <arlafoodsco.com> incorporates the Complainant's ARLA FOODS trademark in its entirety, together with the additional element "co".

The Panel finds that the addition of the term "co", commonly understood as an abbreviation for "company", does not prevent a finding of confusing similarity. The Complainant's trademark remains clearly recognizable within the disputed domain name.

It is well established that where a complainant's trademark is recognizable within the disputed domain name, the addition of descriptive or non-distinctive terms does not prevent a finding of confusing similarity (WIPO Overview 3.1, section 1.8).

The Panel further notes that the generic Top-Level Domain ".com" is a standard registration requirement and is disregarded for the purpose of assessing confusing similarity (WIPO Overview 3.1, section 1.11.1).

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's ARLA FOODS trademark within the meaning of paragraph 4(a)(i) of the Policy.

2) The Respondent lacks rights or legitimate interests in the disputed domain name (Para. 4(a)(ii) of the Policy).

Under the Policy, the Complainant is required to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once such case is made, the burden of production shifts to the Respondent (WIPO Overview 3.1, section 2.1).

The Panel notes that the Complainant has not authorized, licensed, or otherwise permitted the Respondent to use its ARLA or ARLA FOODS trademarks in any manner. There is no evidence that the Respondent is commonly known by the disputed domain name.

The composition of the disputed domain name—incorporating the Complainant's trademark together with the term "co"—suggests an affiliation with the Complainant. Such composition carries a risk of implied affiliation and is not consistent with a legitimate use of the disputed domain name (WIPO Overview 3.1, section 2.5.1).

The Panel further considers the Complainant's evidence that the disputed domain name has been used in connection with email communications impersonating the Complainant and its employees. According to the record, the disputed domain name was configured with active MX records and used to send emails to third parties under the false pretense of originating from the Complainant.

Panels have consistently held that the use of a domain name for fraudulent activity, including impersonation or phishing, can never confer rights or legitimate interests on a respondent (WIPO Overview 3.1, section 2.13.1).

The Panel also notes that the Respondent used the address of the Complainant's U.S. entity as its own registrant contact detail. This further undermines any claim to a legitimate interest in the disputed domain name.

There is no evidence before the Panel that the Respondent has made any bona fide offering of goods or services or any legitimate noncommercial or fair use of the disputed domain name.

In light of the above, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

3) The disputed domain name was registered and is being used in bad faith (Paragraph 4(a)(iii) of the Policy)

The Panel finds that the Complainant's ARLA and ARLA FOODS trademarks significantly predate the registration of the disputed domain name and have acquired substantial recognition worldwide.

Given the distinctiveness of the Complainant's marks and the composition of the disputed domain name, the Panel considers it more likely than not that the Respondent was aware of the Complainant and its trademarks at the time of registration.

The disputed domain name incorporates the Complainant's ARLA FOODS trademark in its entirety and combines it with the term "co", which suggests a corporate affiliation. The Panel finds that such composition is not coincidental and reflects a deliberate targeting of the Complainant's mark.

The Panel further notes that the Respondent used the address of the Complainant's U.S. entity as its own registrant contact detail, which reinforces the conclusion that the Respondent was aware of the Complainant and intentionally sought to impersonate it.

Most importantly, the evidence shows that the disputed domain name was configured for email use and has been used in connection with a phishing scheme impersonating the Complainant and its employees. The Respondent created email addresses under the disputed domain name and used them to communicate with third parties under the false pretense of acting on behalf of the Complainant, including in connection with requests for sensitive information.

Such conduct demonstrates a clear intention to exploit the Complainant's reputation and to mislead third parties for fraudulent purposes.

Panels have consistently held that the use of a domain name for impersonation, phishing, or other forms of fraud constitutes evidence of bad faith registration and use (WIPO Overview 3.1, section 3.4).

The Panel also notes that, although the disputed domain name does not currently resolve to an active website, it is configured with active MX records and has been used for deceptive email communications. The absence of an active website does not prevent a finding of bad faith, particularly where, as in the present case, the disputed domain name has been used for fraudulent email communications.

In light of the above, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users or third parties by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent's communications, within the meaning of paragraph 4(b)(iv) of the Policy.

Taking all circumstances into account, including the composition of the disputed domain name, the impersonation of the Complainant, and the use of the disputed domain name in a phishing scheme, the Panel concludes that the disputed domain name was registered and is being used in bad faith within the meaning of 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. **arlafoodsco.com**: Transferred

PANELLISTS

Name	**Barbora Donathová**

DATE OF PANEL DECISION 2026-04-28

Publish the Decision