Decision for dispute CAC-UDRP-108512

Case number	CAC-UDRP-108512
Time of filing	2026-03-23 11:08:11
Domain names	ghirardell.com, ghirardlli.com, ghirarelli.com, ghirrdelli.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	Zhichao

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 names.

IDENTIFICATION OF RIGHTS

The Complainant owns numerous trademarks for the word "GHIRARDELLI", including US trademark registration no. 205776 for "GHIRARDELLI", which was registered on 17 November 1925 for "CHOCOLATE, CANDY, AND COCOA [AND MUSTARD]" in class 30 (hereinafter referred to as the "Trademark").

FACTUAL BACKGROUND

The Complainant was founded in 1845 and is a renown Swiss chocolate maker. It produces chocolate at 12 own production sites across Europe and the United States. With around 15,000 employees, the Complainant reported sales of CHF 5.47 billion in 2024.

Over the years, the Complainant has expanded its brand portfolio abroad and acquired chocolate businesses including Hofbauer and Küfferle (1994), Caffarel (1997), and **Ghirardelli** (1998), one of the oldest US-based chocolate companies, which was founded in 1852 and is headquartered in San Francisco. Ghirardelli reported sales of USD 888 million in 2024. The Complainant advertises and sells its confectionery products to consumers online through its official website at <ghirardelli.com>, which was registered in 1998. In addition, the Complainant maintains a portfolio of domain names incorporating the Trademark across various generic and country-code top-level domains, including <ghirardelli.online>, <ghirardelli.shop>, <ghirardelli.us>, <ghirardelli.com.mx>, and <ghirardelli.ca>.

The disputed domain names were registered on 1 July 2025 and 6 July 2025, respectively, and redirect Internet users to the Complainant's website at <ghirardelli.com> using an affiliate link from the "affinity.net" network.

PARTIES CONTENTIONS

The Complainant:

The Complainant argues that the disputed domain names are identical to, or confusingly similar to, the Trademark. It argues that the disputed domain names each consist of typographical variations of the Trademark, in which a single letter from the mark has been omitted-albeit at different positions within the word-and that the Trademark remains clearly recognisable within each of the disputed domain names.

Furthermore, the Complainant asserts that the Respondent lacks rights or legitimate interests in the disputed domain names. The Complainant contends that the Respondent does not hold trademark rights for, nor is commonly known by, the disputed domain names or any similar terms; that the Respondent is not connected to, nor affiliated with, the Complainant; that the Respondent has not received a licence or consent to use the Trademark in any way; and that the Respondent has not used, nor prepared to use, the disputed domain names in connection with a bona fide offering of goods or services, nor for any legitimate non-commercial or fair use. In this respect, the Complainant argues that the disputed domain names have been used to redirect users to the Complainant's official website in a manner that falsely suggests affiliation or authorisation, in that each of the disputed domain names first redirects users to an intermediary URL under <affinity.net> before redirecting onward to the Complainant's official website, thereby creating a multi-step redirection chain.

Lastly, the Complainant contends that the disputed domain names were registered and are being used in bad faith. Regarding bad faith registration, the Complainant asserts that the Trademark is renown, which has already been recognised in prior UDRP decisions, and that the Complainant has accrued substantial goodwill and recognition in the Trademark, which has been used to distinguish its chocolate offerings for over a century. It further states that the composition of the disputed domain names themselves reinforces a finding of bad faith registration, as each is a misspelling of the Trademark achieved through the omission of a single letter at varying positions. As to bad faith use, the Complainant contends that the disputed domain names all redirect users to an intermediary URL under <affinity.net> before onward redirection to the Complainant's website, creating a multi-step redirection chain, and that this conduct leverages the Complainant's reputation to attract internet users under misleading pretences and creates a likelihood of confusion as to source, sponsorship, affiliation, or endorsement, falling squarely within paragraph 4(b)(iv) of the Policy. The Complainant further points to the fact that the Respondent has been involved in numerous prior UDRP proceedings concerning the registration of domain names incorporating or misspelling third-party trademarks, including typographical variations comparable to those at issue in the present case, and that this pattern of conduct constitutes additional evidence of bad faith.

Respondent:

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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 names (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 names have been registered and are 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

Under paragraph 4(a) of the Policy, the Complainant must prove that each of the following three elements is present:

(i) the disputed domain names are identical or confusingly similar to the Complainant's trademark; and

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and

(iii) the disputed domain names have been registered and are being used in bad faith.

1. The Panel accepts that the disputed domain names are confusingly similar to the Trademark. The use of the terms “ghirardell", "ghirardlli", "ghirarelli", and "ghirrdelli” is a clear case of typosquatting, as the disputed domain names each consist of typographical variations of the Trademark. The Trademark, however, is clearly recognisable within the disputed domain names.

2. The Complainant has substantiated that the Respondent has no rights or legitimate interests in the disputed domain names. The Panel therefore finds that the Complainant has fulfilled its obligations under paragraph 4(a)(ii) of the Policy. The Respondent did not dispute these assertions in any way and therefore failed to prove any rights or legitimate interests in the disputed domain names. Based on the evidence on file, the Panel cannot identify any rights or legitimate interests of the Respondent, as the disputed domain names are not generic and the Respondent's use of the disputed domain names does not appear to indicate the existence of any rights or legitimate interests of its own. In particular, the Respondent’s use of the disputed domain names to forward Internet users to the Complainant's website through an affiliate website does not constitute rights or legitimate interests of the Respondent in the disputed domain names. Accordingly, the Panel finds that the Complainant has proven that the Respondent has no rights or legitimate interests in respect of the disputed domain names under paragraphs 4(a)(ii) and 4(c) of the Policy.

3. The Panel is convinced that the Respondent registered the disputed domain names with full knowledge of the Complainant and its rights in the Trademark. This finding is supported by the facts that the Trademark has been well established for decades and is highly distinctive, and that the Respondent uses the disputed domain names to forward Internet users to the Complainant's website. The Panel is therefore satisfied that the Respondent registered the disputed domain names with full knowledge of the Complainant and its rights in the Trademark. As to bad faith use, redirecting the disputed domain names to the Complainant's own website per se also implies bad faith use: Such behavior includes the risk that the Respondent may at any time cause Internet traffic to redirect to a website that is not that of, or associated with, the Complainant (see MySpace, Inc. v. Mari Gomez, WIPO Case No. D2007-1231; Mandarin Oriental Services B.V. v. Domain Administrator, Matama, WIPO Case No. D2017-0615), and may increase customer confusion that the disputed domain name is somehow licensed or controlled by the Complainant (see PayPal Inc. v. Jon Shanks, WIPO Case No. D2014-0888; Mandarin Oriental Services B.V. v. Domain Administrator, Matama, WIPO Case No. D2017-0615). Furthermore, by using the disputed domain names in connection with an affiliate program, the Respondent was, in all likelihood, trying to divert traffic intended for the Complainant’s website to its own for commercial gain, as set out under paragraph 4(b)(iv) of the Policy. The Complainant has also proven that the Respondent has engaged in a pattern of registering domain names that include third-party trademarks in order to prevent the respective trademark or service mark owner from reflecting the mark in a corresponding domain name, as set out in paragraph 4(b)(iv) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **ghirardell.com**: Transferred
2. **ghirardlli.com**: Transferred
3. **ghirarelli.com**: Transferred
4. **ghirrdelli.com**: Transferred

PANELLISTS

Name	**Peter Müller**

DATE OF PANEL DECISION 2026-04-30

Publish the Decision