Decision for dispute CAC-UDRP-108557

Case number	CAC-UDRP-108557
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Domain names	ge-lactalis.com

Case administrator

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

Complainant

Organization	Groupe Lactalis

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Hents

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 relies on registered trademarks consisting of the term "LACTALIS," in particular:

- European Union trademark LACTALIS No. 1529833, registered on November 7, 2002;
- International trademark LACTALIS No. 900154, registered on July 27, 2006;
- International trademark LACTALIS No. 1135514, registered on September 20, 2012;
- European Union trademark LACTALIS No. 017959526, registered on May 22, 2019;
- Georgian trademark LACTALIS No. M201222630, registered on May 16, 2012.

The Complainant further submits that it owns domain name incorporating the distinctive element "LACTALIS", <lactalis.com>, registered on January 9, 1999.

The disputed domain name <ge-lactalis.com> was registered on March 27, 2026.

FACTUAL BACKGROUND

The Complainant, a French multinational company founded in 1933 and operating under the name "Lactalis" since 1999, is engaged

in the food industry, with a particular focus on the dairy sector. The Complainant submits that it is the world's largest dairy products group, with over 85,500 employees, 266 production sites, and a presence in 51 countries. The Complainant further asserts that it operates in Georgia through its subsidiary LACTALIS GEORGIA and uses the e-mail address structure "...@ge.lactalis.com" in connection with that operation.

The Complainant submits that the Respondent is not affiliated with the Complainant, and that no licence, authorisation, or business relationship of any kind exists between the Complainant and the Respondent.

PARTIES CONTENTIONS

The Complainant submits that the disputed domain name is confusingly similar to its LACTALIS trademark, as the trademark is reproduced in its entirety within the disputed domain name.

- The Complainant argues that the addition of the country-code element "GE," referring to Georgia, is insufficient to dispel the confusing similarity and does not alter the overall impression of a connection with the Complainant and its trademark. On the contrary, the Complainant contends that this element aggravates the likelihood of confusion, as it directly evokes the Complainant's activity in Georgia through its subsidiary LACTALIS GEORGIA. In support, the Complainant relies on WIPO Case No. D2003-0888.
  The Complainant further submits that the addition of the generic top-level domain ".com" is to be disregarded for the purposes of the assessment of confusing similarity.
- In addition, the Complainant points out that its rights in the term "LACTALIS" and the confusing similarity of analogous "country-code + LACTALIS" formations have been recognised by previous UDRP panels, citing WIPO Case No. D2025-2914, CAC Case No. 107803, and WIPO Case No. 106818.
- The Complainant accordingly concludes that the disputed domain name is confusingly similar to its LACTALIS trademark.
- The Complainant submits that it is sufficient under the UDRP to make out a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, after which the burden of production shifts to the Respondent.

The Complainant submits that the Respondent is not commonly known by the disputed domain name, as the WHOIS information does not identify the Respondent by any name corresponding to the disputed domain name.

- The Complainant further submits that the Respondent is not affiliated with the Complainant in any way, that no licence or authorisation has ever been granted to the Respondent to use the LACTALIS trademark or to register a domain name incorporating it, and that there is no commercial relationship between the parties.
- Finally, the Complainant submits that the disputed domain name resolves to a parking page and that the Respondent has not made any use of the disputed domain name since its registration, which, in the Complainant's view, demonstrates the absence of any demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services or a legitimate non-commercial or fair use.

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

- The Complainant contends that, given the distinctiveness and reputation of the LACTALIS trademark, which had been registered and protected in numerous jurisdictions long before the registration of the disputed domain name, the Respondent could not have ignored the existence of the Complainant and its rights at the time of registration. The Complainant submits that the LACTALIS trademark has previously been recognised as well-known by UDRP panels, citing WIPO Case No. D2022-2429 and WIPO Case No. D2020-1701.
- The Complainant further submits that the inclusion of the country-code element "GE" reinforces the inference of bad faith, as it directly evokes the Complainant's activities in Georgia through its subsidiary LACTALIS GEORGIA and the e-mail structure "...@ge.lactalis.com" used in that context. In the Complainant's view, this targeting demonstrates that the Respondent registered the disputed domain name with full knowledge of, and with the intention of taking unfair advantage of, the Complainant's trademark.

- As regards use, the Complainant submits that the disputed domain name resolves to a parking page and that the Respondent has not engaged in any active use of it. Relying on the doctrine of passive holding, the Complainant submits that no plausible good-faith use of the disputed domain name by the Respondent can be conceived, as any such use would amount to passing off, infringement of consumer protection legislation, or infringement of the Complainant's trademark rights.

- The Complainant further notes that MX records have been configured for the disputed domain name, indicating that it may be used for e-mail purposes. In the Complainant's view, this circumstance further supports a finding of bad faith, as it creates a risk that the disputed domain name will be used to send fraudulent communications impersonating the Complainant. In support, the Complainant cites CAC Case No. 102827.

- On these grounds, the Complainant concludes that the disputed domain name has been registered and is being used in bad faith.

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is 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

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:
(i) The domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
(ii) The respondent has no rights or legitimate interests in respect of the domain name; and
(iii) The domain name has been registered and is being used in bad faith.

I. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

Pursuant to paragraph 4(a)(i) of the Policy, the Complainant must establish that the disputed domain name is identical or confusingly similar to a trademark or service mark in which it has rights.

The Panel is satisfied, on the basis of the presented evidence, that the Complainant is the holder the trademark LACTALIS, by virtue of, inter alia, European Union trademark No. 1529833, registered on November 7, 2002; International trademark No. 900154, registered on July 27, 2006; International trademark No. 1135514, registered on September 20, 2012; European Union trademark No. 017959526, registered on May 22, 2019; and Georgian trademark No. M201222630, registered on May 16, 2012.

All of these registrations significantly predate the registration of the disputed domain name on March 27, 2026. The first condition under paragraph 4(a)(i) of the Policy, namely the existence of trademark rights vested in the Complainant, is therefore satisfied.

Turning to the comparison between the disputed domain name and the Complainant's trademark, the Panel observes that the disputed domain name reproduces the LACTALIS trademark in its entirety, preceded by the letters "ge" and a hyphen. It is well established in UDRP jurisprudence that, where the relevant trademark is recognisable within the disputed domain name, the addition of other terms — whether descriptive, geographical, pejorative, meaningless, or otherwise — does not prevent a finding of confusing similarity under the first element.

In the present case, the prefix "ge-" corresponds to the ISO country code for Georgia. Such a geographical indicator is not capable of dispelling the confusing similarity arising from the wholesale incorporation of the LACTALIS trademark; if anything, as correctly pointed out by the Complainant, it reinforces the impression of a connection with the Complainant, who operates in Georgia through its subsidiary LACTALIS GEORGIA. The hyphen is, for present purposes, to be disregarded as a non-distinctive typographical element.

It is likewise well established that the generic top-level domain suffix ".com" is, as a rule, a technical requirement of registration to be disregarded when assessing identity or confusing similarity under the first element of the Policy.

Taking the disputed domain name as a whole, the Panel finds that the LACTALIS trademark remains clearly recognisable within the disputed domain name and that the additional element "ge-" does not detract from such recognisability.

The Panel therefore finds that the disputed domain name is confusingly similar to the trademark in which the Complainant has rights, and that the requirement of paragraph 4(a)(i) of the Policy is satisfied.

II. The respondent has no rights or legitimate interests in respect of the disputed domain name

Pursuant to paragraph 4(a)(ii) of the Policy, the Complainant must establish that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

In accordance with consistent UDRP practice, the burden of proof under this element rests upon the Complainant. However, given that proving a negative fact lying within the exclusive knowledge of the Respondent would entail an excessive evidentiary burden, it suffices for the Complainant to make out a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once such a prima facie case is established, the burden of production shifts to the Respondent to demonstrate that it does possess rights or legitimate interests within the meaning of paragraph 4(c) of the Policy. If the Respondent fails to come forward with relevant allegations or evidence, the Complainant is generally deemed to have satisfied the second element.

In the present case, the Complainant has submitted, and the Panel accepts, that:

1. the Respondent is not identified in the WHOIS records by any name corresponding to the disputed domain name and is not otherwise commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy;
2. the Respondent is not affiliated with the Complainant, has no business relationship with the Complainant, and has not been licensed or otherwise authorised by the Complainant to make any use of the LACTALIS trademark or to register a domain name incorporating it; and
3. the disputed domain name resolves to a parking page and has not been put to any active use since its registration, which does not, in the circumstances of the present case, evidence either a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the Policy, or a legitimate non-commercial or fair use within the meaning of paragraph 4(c)(iii) of the Policy.

The Panel further notes that the very composition of the disputed domain name, combining the Complainant's distinctive LACTALIS trademark with the country code corresponding to a jurisdiction in which the Complainant operates through a subsidiary bearing the name LACTALIS GEORGIA, carries a high risk of implied affiliation with the Complainant, and as such cannot constitute a fair use of the disputed domain name.

By failing to file any response to the Complaint, the Respondent has not advanced any allegation, evidence, or argument capable of rebutting the Complainant's prima facie case or of demonstrating that it enjoys rights or legitimate interests in the disputed domain name on any other basis.

The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the requirement of paragraph 4(a)(ii) of the Policy is satisfied.

III. The disputed domain name has been registered and is being used in bad faith

Pursuant to paragraph 4(a)(iii) of the Policy, the Complainant must establish that the disputed domain name has been registered and is being used in bad faith.

As regards registration in bad faith, the Panel accepts that the Complainant's LACTALIS trademark enjoys substantial reputation and goodwill in the dairy sector worldwide and that it has been recognised as well-known by previous UDRP panels. The trademark is, moreover, distinctive and bears no descriptive meaning in relation to the goods and services offered by the Complainant. The trademark significantly predates the registration of the disputed domain name and is the subject of numerous registrations across multiple jurisdictions, including in Georgia, where the Complainant operates through its subsidiary LACTALIS GEORGIA.

In these circumstances, the Panel finds it inconceivable that the Respondent registered the disputed domain name without knowledge of the Complainant and its LACTALIS trademark. This conclusion is corroborated by the very structure of the disputed domain name, which combines the LACTALIS trademark with the country code for Georgia — a jurisdiction in which the Complainant has a documented presence and uses the e-mail infrastructure "...@ge.lactalis.com." Such a composition cannot, in the Panel's view, be the result of mere coincidence; it reflects a deliberate targeting of the Complainant and its activities in Georgia. The Panel accordingly finds that the disputed domain name was registered in bad faith with the intention of taking unfair advantage of the Complainant's trademark.

As regards use in bad faith, the Panel notes that the disputed domain name currently resolves to a parking page and is not put to any active use. It is, however, well established under the doctrine of passive holding that the absence of active use of a disputed domain name does not, in itself, preclude a finding of bad faith. The Panel must rather examine the totality of the circumstances of the case, including, in particular:

i. the degree of distinctiveness and reputation of the Complainant's trademark;
ii. the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use;
iii. the Respondent's concealment of its identity or the use of false contact details; and
iv. the implausibility of any good-faith use to which the disputed domain name could be put.

In the present case, having regard to the reputation and distinctiveness of the LACTALIS trademark, the Respondent's failure to come forward with any explanation, and the targeted composition of the disputed domain name, the Panel is unable to conceive of any plausible actual or contemplated use of the disputed domain name by the Respondent that would not be illegitimate, whether by way of passing off, infringement of consumer-protection legislation, or infringement of the Complainant's trademark rights.

The Panel further attributes weight to the fact that MX records have been configured for the disputed domain name. The activation of MX records indicates that the disputed domain name may be used for the sending or receiving of electronic mail. In view of the confusing similarity of the disputed domain name with the Complainant's well-known trademark and the explicit reference to the Complainant's activity in Georgia, there exists a substantial and concrete risk that the disputed domain name may be used in connection with phishing, fraudulent communications, or other deceptive practices to the detriment of the Complainant, its subsidiaries, its business partners, or consumers. Such risk has been recognised by previous panels as a factor supporting a finding of bad-faith use.

In light of the foregoing, the Panel finds that the disputed domain name was registered and is being used in bad faith, and that the requirement of paragraph 4(a)(iii) of the Policy is satisfied.

Conclusion

All three elements set out in paragraph 4(a) of the Policy having been established to the satisfaction of the Panel, the Panel concludes that the Complaint is well-founded and that the disputed domain name should be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **ge-lactalis.com**: Transferred

PANELLISTS

Name	**Petr Hostaš**

DATE OF PANEL DECISION 2026-05-10

Publish the Decision