Decision for dispute CAC-UDRP-108541

Case number	CAC-UDRP-108541
Time of filing	2026-04-02 07:50:43
Domain names	arlafoodsingrendients.com

Case administrator

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

Complainant

Organization	Arla Foods Amba

Complainant representative

Organization	Abion GmbH

Respondent

Name	John Ryan

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 has submitted evidence, which the Panel accepts, showing that it is the registered owner of the trademarks bearing “ARLA”, inter alia, the following:

- International trademark “ARLA” n°731917, registered on March 20, 2000;
- International trademark “ARLA FOODS” n°1829124, registered on October 2, 2024;
- United States trademark “ARLA” n°3325019, registered on October 30, 2007;
- United States trademark “ARLA” n°3651489, registered on July 7, 2009.

Moreover, the Complainant is also the owner of the domain names bearing the signs “ARLA” and “ARLA FOODS” such as the domain names <arla.com> (registered on July 15, 1996), <arla.eu> (registered on June 1, 2006), <arlafoods.com> (registered on October 1, 1999), <arla-ingredients.com.ar> (registered on March 22, 2012) and <arlafoods-group.com> (registered on February 5, 2021).

FACTUAL BACKGROUND

The Complainant, Arla Foods, is a big dairy company and a cooperative owned by more than 12,500 dairy farmers, which was

established in 2000 by a merger and operates worldwide.

The Complainant holds several trademark registrations for “ARLA” and “ARLA FOODS” going back to 2000 and the Complainant also holds the domain names bearing “ARLA” and “ARLA FOODS” registered even before 2000.

In addition, it was also stated that Arla Foods Ingredients Group P/S that is a fully owned subsidiary of the Complainant and is responsible for the Complainant’s global ingredients business, owns the domain name <arlafoodsingredients.com> (registered 16 March 2000), which is used in connection with official business activities and online presence, including providing information about ARLA-branded ingredients products and services.

On January 27, 2026; the Respondent registered the disputed domain name <arlafoodsingrendients.com>. The disputed domain name is currently inactive.

PARTIES CONTENTIONS

COMPLAINANT:

1. THE DISPUTED DOMAIN NAME IS CONFUSINGLY SIMILAR

The disputed domain name is confusingly similar to the Complainant’s formerly registered distinctive trademarks, as it bears the Complainant’s “ARLA” and “ARLA FOODS” trademarks as a whole with the addition of the descriptive term “ingredients”, which would not prevent a finding of confusing similarity. Moreover, it is claimed that it directly refers to the Complainant’s ingredients business. The Complainant’s “ARLA” and “ARLA FOODS” trademarks are claimed to remain clearly recognizable within the disputed domain name.

The Complainant referred to a previous panel decision, where it was held that that a domain name incorporating the ARLA trademark together with the generic term “foodingredients” was confusingly similar to the Complainant’s trademark (see Arla Foods amba v. Ho Nim, WIPO Case No. D2010-0157). The circumstances of the present case are claimed to be highly similar, as the disputed domain name reproduces the Complainant’s “ARLA” and “ARLA FOODS” trademarks in combination with the same descriptive wording, differing only by the misspelling of the word “ingredients” by adding a letter “n” between the letters “e” and “d”, which is immaterial and does not dispel confusing similarity.

The Complainant refers to earlier decisions and claims that the top level domain “.com” is standard registration requirement and will be disregarded, so the domain name remains confusingly similar despite its inclusion.

2. NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant states that the Respondent has no rights on the disputed domain name as the Respondent is not known as the disputed domain name and as the Respondent does not hold any trademark or domain name with “arlafoodsingrendients” and “arla foods ingrendients”.

The Complainant also states that the Respondent is neither affiliated nor authorized by the Complainant in any way and neither license nor authorization has been granted to the Respondent to use the Complainant’s trademarks “ARLA”.

Lastly, the Respondent has attempted to conceal their identity through the use of a privacy shield, which obscures part of the Whois data. Moreover, the registration details provided in the Notice of Registrant Information appear potentially misleading or fabricated. For example, the address “4847 Medical Center Drive, Sarasota, FL 34236” does not exist as an official or recognized postal address in Sarasota, Florida, indicating it is likely invalid. Additionally, the contact e-mail, mannyalves.highlinerfoods@gmail.com, references the name “Manny Alves,” which does not correspond to the registrant name “John Ryan” listed in the Notice of Registrant Information. These discrepancies are claimed to strongly suggest that the Respondent deliberately provided false information to obscure their true identity, further demonstrating a lack of legitimate interest in the disputed domain name.

The Complainant states that the disputed domain name is being passively held and it does not resolve to an active website. There is no evidence showing that the Respondent has been using, or preparing to use, the disputed domain name in connection with a bona fide offering of goods and services or has made a legitimate noncommercial or fair use.

3. THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS USED IN BAD FAITH

The Complainant claims that the Respondent registered the disputed domain name many years after the first registrations of the Complainant’s “ARLA” and “ARLA FOODS” trademarks. The Complainant states that “ARLA” is a well-known trademark, as previously held by UDRP panels. It is claimed that by conducting a simple online search regarding the terms “arlafoodsingrendients”, “and “arla foods ingrendients”, the Respondent would have inevitably learned about the Complainant, its trademark and business.

The Complainant also points out that the structure of the disputed domain name as incorporating in its second-level portion the

Complainant's ARLA and ARLA FOODS trademarks together with a misspelling of term "ingredients" shows that the Respondent registered the dispute domain name having the Complainant and its ARLA and ARLA FOODS trademarks in mind, and reflects the Respondent's clear intention to create an association, and a consequent likelihood of confusion, with the Complainant's trademarks in the minds of Internet users. It is claimed that by reading the disputed domain name, Internet users may reasonably believe that it is directly connected to, or authorized by, the Complainant.

The Complainant also again emphasizes that the Respondent has attempted to conceal their identity through the use of a privacy shield, which obscures part of the Whois data. Moreover, the registration details provided in the Notice of Registrant Information appear potentially misleading or fabricated. For example, the address "4847 Medical Center Drive, Sarasota, FL 34236" does not exist as an official or recognized postal address in Sarasota, Florida (Annex 12), indicating it is likely invalid. Additionally, the contact e-mail, mannyalves.highlinerfoods@gmail.com, references the name "Manny Alves," which does not correspond to the registrant name "John Ryan" listed in the Notice of Registrant Information. These discrepancies strongly suggest that the Respondent deliberately provided false information to obscure their true identity. The Complainant also referred to past panel decisions, where inaccurate or false contact details were seen as reinforcing a finding of bad faith registration (see CVS Pharmacy, Inc. v. Whois Privacy Protection Service / Jasna Knezevic, WIPO Case No. D2013-0564, and Ebay Inc. v. Wangming, WIPO Case No. D2006-1107).

The Complainant alleges that the disputed domain name has not been using by the Respondent and the passive holding of the disputed domain name demonstrates the bad faith of the Respondent.

It must be mentioned here that the Complainant stated that a cease-and-desist letter was sent to the Respondent on 4 March 2026, via the registrant contact form and via the abuse email of the Registrar, requesting the latter to forward the communication to the Respondent. The letter informed the Registrant of the abusive registration of the domain name and requesting its transfer to the Complainant. The Complainant sent further reminders which remained unanswered.

Accordingly, the Complainant alleges that the disputed domain name was registered and is being used in bad faith.

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

Paragraph 15 of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In this context, the Panel also notes that the burden of proof is on the Complainant to make out its case and past UDRP panels have consistently said that a Complainant must show that all three elements of the Policy have been made out before any order can be

made to transfer a domain name.

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:

1. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
3. the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore deal with each of these requirements in turn.

1. IDENTICAL OR CONFUSINGLY SIMILAR

The Policy simply requires the Complainant to demonstrate that the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights. The Panel is satisfied that the Complainant is the owner of registration of “ARLA” and “ARLA FOODS” trademarks.

The Panel finds that the disputed domain name is confusingly similar to the Complainant’s “ARLA” and “ARLA FOODS” trademarks and the addition of the term “ingrendients”, which implies typosquatting, is not sufficient to vanish the similarity.

Moreover, the addition of the gTLD “.com” is not enough to abolish the similarity.

The Panel is of the opinion that the Internet users will easily fall into false impression that the disputed domain name is one of the official domain names of the Complainant. The Panel recognizes the Complainant's rights and concludes that the disputed domain name is confusingly similar with the Complainant's trademarks. Therefore, the Panel concludes that the requirements of paragraph 4(a)(i) of the Policy is provided.

2. NO RIGHTS OR LEGITIMATE INTERESTS

Under paragraph 4(a)(ii) of the Policy, the complainant has the burden of establishing that the respondent has no rights or legitimate interests in respect of the domain name.

It is open to a respondent to establish its rights or legitimate interests in a domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to the respondent of the dispute, the use or making demonstrable preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) the respondent of the dispute (as an individual, business, or other organization) has been commonly known by the domain name, even if it has acquired no trademark or service mark rights; or

(iii) the respondent of the dispute is making a legitimate non-commercial or fair use of the domain name, without an intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Thus, if the respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the domain name, the complainant will have failed to discharge its burden of proof and the complaint will fail. The burden is on the complainant to demonstrate a prima facie case that the respondent does not have rights or legitimate interests in the domain name. Once the complainant has made out a prima facie case, then the respondent may, inter alia, by showing one of the above circumstances, demonstrate rights or legitimate interests in the domain name.

The Complainant contends that the Respondent has nothing to do with the Complainant and any use of the trademarks “ARLA” and “ARLA FOODS” must be authorized by the Complainant but there is no such authorization. Moreover, the disputed domain name has no relation with the Respondent and the Respondent is not commonly known as the disputed domain name.

In the absence of a response, the Panel accepts the Complainant’s allegations as true that the Respondent has no authorization to use the Complainant’s trademarks in the disputed domain name.

Hence, as the Complainant has made out its prima facie case, and as the Respondent has not demonstrated any rights or legitimate interests as illustrated under paragraph 4(c) of the Policy, nor has the Panel found any other basis for finding any rights or legitimate interests of the Respondent in the disputed domain name, the Panel concludes that the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

3. BAD FAITH

The Panel concludes that the Complainant's “ARLA” trademark is of distinctive character. Therefore, the Panel is of the opinion that due to the earlier rights of the Complainant in the “ARLA” and “ARLA FOODS” trademarks, the Respondent was aware of the Complainant and its trademarks at the time of registration of the disputed domain name (see e.g., Ebay Inc. v. Wangming, WIPO Case No. D2006-1107). Referring to Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net, WIPO Case No. D2000-0226, the Panel believes that the awareness of the Complainant’s trademark at the time of the registration of the disputed domain name is to be considered an inference of bad faith registration.

Moreover, the disputed domain name is currently inactive. Various panelists are also of the opinion that passive holding does not as such prevent a finding of bad faith. All the circumstances of the case must be examined to determine whether the Respondent is acting in bad faith. The cumulative circumstances for an indication of bad faith include the Complainant having a well-known trade mark, no response having been filed, and the registrant’s concealment of its identity, which all happened in this case.

Therefore, in light of the above-mentioned circumstances in the present case, the Panel finds that the disputed domain name has been registered and is being used in bad faith and that the Complainant has established the third element under 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. **arlafoodsingrendients.com**: Transferred

PANELLISTS

Name	**Mrs Selma Ünlü**

DATE OF PANEL DECISION 2026-05-15

Publish the Decision