Decision for dispute CAC-UDRP-108588

Case number	CAC-UDRP-108588
Time of filing	2026-04-17 09:33:39
Domain names	lidnt.com

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Organization	Njalla Okta LLC

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 is the owner of numerous trademark registrations for LINDT (the “LINDT trademark”), including the following representative registrations:

– the United States trademark LINDT (word) with registration No. 87306, registered on 9 July 1912 for goods in International Class 30 duly renewed since, with first use in commerce in 1879;

– the European Union trademark LINDT (word) with registration No. 000134007, registered on 7 September 1998 for goods in International Class 30 duly renewed since; and

- the United Kingdom trademark LINDT with registration No. UK00900134007, registered on 7 September 1998 for goods in International Class 30 duly renewed since.

FACTUAL BACKGROUND

The Complainant is a Swiss manufacturer of chocolate and confectionery products, established in 1845. It distributes its diverse portfolio of 2500 products in more than 120 countries worldwide under various brands, including LINDT. The Complainant reported sales of CHF 5.92 billion in 2025. Its main official website is located at the domain name <lindt.com>, which has been registered

since 16 December 1997.

For promoting and commercializing its products worldwide, the Complainant is the owner of an extensive portfolio of trademark registrations, many of which consist of or contain the mark LINDT.

The disputed domain name was registered on 17 March 2026. The Complainant shows via screenshots with tracking information that disputed domain name resolves to webpages being used and deliberately presenting the Complainant's trademark and products with special discounts.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it. The Complainant makes a number of legal arguments and also supplies a set of annexes providing evidence of its activities and of the Respondent's previous use of webpages displaying the Complainant's trademark and products with discounted price.

No administratively compliant Response has been filed by the Respondent.

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

It ought to be indicated that the CAC was unable to confirm receipt of the written notice to the Respondent as no advice of delivery was returned to the CAC.

No other address for correspondence was found on the disputed domain name.

The notices of written notice and the Commencement of the administrative proceeding were sent also by e-mail. Yet, the e-mail notices sent to postmaster@lidnt.com and to whois+lidnt.com@njal.la were returned back undelivered (fatal permanent error) for the first address and no proof of receipt or non-delivery for the second one. No further e-mail addresses could be found on the disputed site.

The Respondent never accessed the online platform.

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

Notwithstanding the fact that no Response has been filed, the Panel shall consider the issues present in the case based on the statements and documents submitted by the Complainant.

Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following elements:

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

Identical or confusingly similar

The Complainant has provided evidence and has thus established its rights in the LINDT trademark.

The Panel notes that a common practice has emerged under the Policy to disregard in appropriate circumstances the general Top-Level Domain ("gTLD") section of domain names for the purposes of the comparison under the Policy, paragraph 4(a)(i). The Panel sees no reason not to follow the same approach here, so it will disregard the ".com" gTLD section of the disputed domain name.

On the question of identity or confusing similarity, what is required is simply a comparison and assessment of the disputed domain name itself to the Complainant's trademark.

The inversion of the letters "D" and "N" does not distinguish the disputed domain name from the Complainant's trademark and more likely demonstrates the typosquatting practice intended to create confusing similarity between the Complainant's trademark and the disputed domain name.

As discussed in section 1.9 of the WIPO Overview 3.1, a domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognisable aspects of the relevant mark. Under the second and third elements, panels will normally find that employing a misspelling in this way signals an intention on the part of the respondent (typically corroborated by infringing website content) to confuse users seeking or expecting the complainant.

The addition of the generic top level domain ".COM" does not change the overall impression of the designation as being connected to Complainant's trademark.

The Panel therefore considers the disputed domain name to be confusingly similar to the Complainant's trademark LINDT which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

Taking all the above into account, the Panel finds that the disputed domain name is confusingly similar to the LINDT trademark in which the Complainant has rights.

Rights and legitimate interests

While the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, because it was not authorised to use the LINDT trademark and is not commonly known under the disputed domain name. The Complainant also points out that the disputed domain name is active displaying the Complainant's trademark and its chocolate products. Thus, the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

Furthermore, the Respondent has not submitted a Response and has not provided an explanation of the reasons why it registered the disputed domain name and, on the use, made of.

In the Panel's view, the circumstances of this case do not support a finding that the Respondent has rights and legitimate interests in the disputed domain name. It is confusingly similar to the popular LINDT trademark with a mere typo (inversion of "D" and "N") and disputed domain name is being used displaying the Complainant's trademark and its chocolate products.

In the absence of any arguments or evidence to the contrary, this leads the Panel to the conclusion that it is more likely than not that the Respondent, being aware of the goodwill of the Complainant's LINDT trademark, has registered the disputed domain name targeting this trademark in an attempt to exploit its goodwill by attracting Internet users who may believe that the disputed domain name and the website to which it redirects are somehow related to the Complainant.

Therefore, the Panel finds that the Respondent does not have rights or legitimate interests in the disputed domain name.

Bad faith

The Respondent is using the disputed domain name for a website displaying the Complainant's trademark and its chocolate products offered at a discounted price.

The Complainant's trademark registrations significantly predate the registration of the disputed domain name. The disputed domain name incorporates the LINDT mark in its entirety with a mere typo 'inversion of the letter "D" and "N"). Moreover, the disputed

domain name is being used displaying the Complainant's trademark and chocolate products.

In these circumstances, it cannot be envisaged that the Respondent registered the disputed domain name without knowledge of the Complainant and its trademark rights.

The evidence shows that the disputed domain name was used for a website that reproduced the LINDT mark, displayed images of LINDT-branded products, offered products for sale at discounted price, and collected personal data from users. This conduct demonstrates that the Respondent intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's mark as to source, sponsorship, affiliation, or endorsement.

The Panel further considers that the Respondent's conduct constitutes impersonation or passing off. The website was designed to mislead users into believing that it was operated by, or affiliated with, the Complainant. The collection of personal data through such a website creates an additional risk of phishing or other fraudulent activity. Such use is manifestly evidence of bad faith.

Furthermore, the Respondent has been involved in almost 20 cases before the CAC from July 2024 till today.

In light of these circumstances, the Panel finds that the Respondent registered and used the disputed domain name in bad faith.

The third element of paragraph 4(a) of the Policy is satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lidnt.com**: Transferred

PANELLISTS

Name	**David-Irving Tayer**

DATE OF PANEL DECISION 2026-05-28

Publish the Decision