Decision for dispute CAC-UDRP-108665

Case number	CAC-UDRP-108665
Time of filing	2026-05-20 10:18:46
Domain names	lindt.ltd

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	ValidOl Wlasov

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 inter alia of:

United States trademark LINDT n° 87306, registered on July 9, 1912 for chocolate candies, in International Class 30;

Canadian trademark LINDT, n° UCA26258 for alimentary products, namely: chocolate and milk chocolate products, cocoa and cocoa products, in International Class 30; and

International trademark LINDT, 217838, registered on March 2, 1959 for cocoa and plain chocolates, filled chocolates or in combination with other substances; confectionery goods in International Class 30.

FACTUAL BACKGROUND

The Complainant, founded in 1845, is a well-known Swiss chocolate manufacturer and a global leader in the premium chocolate category. It produces high-quality chocolates at 12 factories in Europe and the United States. Its products are sold by over 40 subsidiaries and branch offices, in more than 600 of its own stores, as well as via a global network of approximately 100 distributors. With over 15,000 employees, the Complainant reported sales of CHF 5.92 billion in 2025.

The Complainant holds many trademarks for the term LINDT, covering numerous jurisdictions around the world.

The Complainant and its affiliated entities control numerous domain names which encompass the LINDT mark, and these are used to advertise the Complainant's offerings across a wide range of territories around the world. These registrations include <lindt.com> (which automatically routes users to the appropriate official Lindt regional website according to their location), <lindt.ch>, <lindt.co.uk>, <lindt.se>, <lindt.com.nl>, <lindt.it>, <lindtusa.com>, <lindt.ca>, <lindt.com.br>, <lindt.jp>, <lindt.cn> and <lindt.com.au>. Through these official websites, the Complainant actively promotes and offers its chocolate and confectionery products.

The disputed domain name was registered on April 28, 2026. It resolved to the Complainant's website at "www.lindt.com" and presently resolves to the Namecheap website stating: “Whois verification is pending”.

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 contends that the Respondent does not have trademark rights in, nor is commonly known by, 'lindt', 'lindt.ltd', or any similar term. The Respondent is not connected to nor affiliated with the Complainant and has not received license or consent to use the LINDT mark in any way. The Respondent has not used, nor prepared to use, the disputed domain name in connection with a bona fide offering of goods or services, nor a legitimate non-commercial or fair use. The disputed domain name has been used to redirect users to the Complainant's official website at "www.lindt.ch" in a manner that falsely suggests affiliation or authorisation. This redirection did not serve any independent purpose and merely sought to exploit the Complainant's reputation by misleading internet users. The disputed domain name presently resolves to a 'Whois verification is pending' page of the applicable registrar. This present inactivity does not cure the Respondent's prior abusive use and similarly does not constitute a bona fide offering of goods or services, nor a legitimate non-commercial or fair use.

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(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

(1) the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in

which the Complainant has rights; and

(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.

In view of the Respondent's failure to submit a response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint; however, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Jurisprudential Overview 3.1 at paragraph 4.3; see also eGalaxy Multimedia Inc. v. ON HOLD By Owner Ready To Expire, FA 157287 (Forum June 26, 2003) ("Because Complainant did not produce clear evidence to support its subjective allegations [. . .] the Panel finds it appropriate to dismiss the Complaint").

As to the first element, the Complainant has shown that it has rights in the LINDT mark. The Panel finds the disputed domain name <lindt.ltd> to be identical to that mark since the inconsequential top-level domain ".ltd" may be ignored under this element. The Complainant has established this element.

As to the second element, paragraph 4(c) of the Policy sets out three illustrative circumstances as examples which, if established by the Respondent, shall demonstrate rights to or legitimate interests in a disputed domain name for the purposes of paragraph 4(a)(ii) of the Policy, i.e.

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

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

(iii) the Respondent is making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert customers or to tarnish the trademark or service mark at issue.

The Panel notes that there is no evidence in the record that the Respondent (as an individual, business or other organization) has been commonly known by the disputed domain name. The disputed domain name resolved to the Complainant's website at "www.lindt.ch". It presently resolves to the Namecheap website stating: "Whois verification is pending". These circumstances, together with the Complainant's assertions, are sufficient to constitute a prima facie showing of absence of rights or legitimate interests in respect of the disputed domain name on the part of the Respondent. The evidentiary burden therefore shifts to the Respondent to show that it does have rights or legitimate interests in the disputed domain name. See JUUL Labs, Inc. v. Dryx Emerson / KMF Events LTD, FA1906001849706 (Forum July 17, 2019). The Respondent has made no attempt to do so.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has established this element.

As to the third element, paragraph 4(b) of the Policy sets out four illustrative circumstances, which, though not exclusive, shall be evidence of the registration and use of a domain name in bad faith for purposes of paragraph 4(a)(iii), including:

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

The Panel finds that the Complainant's LINDT trademark is distinctive and well known. The '.ltd' gTLD creates the impression that the disputed domain name is officially connected with the Complainant and satisfies the Panel that the Respondent had prior knowledge of the Complainant and its LINDT mark when registering the disputed domain name and did so in bad faith. Further, that the Respondent has used the disputed domain name in bad faith under paragraph 4(b)(iv) of the Policy to redirect Internet users to the Complainant's official website at "www.lindt.ch", thereby creating the false impression that the disputed domain name was owned, authorised, or operated by the Complainant. The Complainant has established this element.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lindt.ltd**: Transferred

PANELLISTS

Name	**Alan Limbury**

DATE OF PANEL DECISION 2026-06-14

Publish the Decision