Decision for dispute CAC-UDRP-108637

Case number	CAC-UDRP-108637
Time of filing	2026-05-06 17:56:08
Domain names	lindtsweets.com

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondent

Name	brucek brucek

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 registered owner of many trademarks LINDT, such as international trademark no. 217838, registered on March 2, 1959 for chocolate products in class 30n and designating a large list of States worldwide.

This mark has duly been renewed and is in force.

FACTUAL BACKGROUND

It results from the Complainant's undisputed allegations that:

(i) the Complainant is a well-known major chocolate maker based in Switzerland founded in 1845. It currently employs more than 15,000 people worldwide and generated a revenue of CHF 5.92 billion in 2025;

(ii) the date of registration of the disputed domain name by the current registrant was April 13, 2026;

(ii) the disputed domain name is currently inactive. The record shows, however, that it previously resolved to a website purportedly offering LINDT chocolate products at heavily discounted prices, prominently displaying the Complainant’s figurative LINDT trademark and inviting users to "create an account" or "sign in" by providing personal and financial information, including contact

details and credit card information.

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.

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

1.
The Panel finds that the disputed domain name is confusingly similar to the Complainant’s trademark.

The Complainant's registered trademark LINDT is included identically in the disputed domain name. The Panel considers that, despite the addition of the term "sweets" in a second position within the disputed domain name, the disputed domain name is confusingly similar to the Complainant's mark. In fact, the Complainant's mark, placed at the beginning of the domain name, is still recognisable in the disputed domain name and the addition of that element "sweets" does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy.

2.

In the absence of any Response, or any other information from the Respondent indicating the contrary, the Panel further holds that the Complainant successfully presented its prima facie case and that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Firstly, there is no evidence in the record or WhoIs information showing that the Respondent might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

Secondly, at the time, the Complaint has been filed, no content is displayed on the website to which the disputed domain name resolves. Such use can neither be considered a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain name in the sense of paragraph 4(c)(i) and (iii) of the Policy. In addition, it results from the Complainant’s uncontested evidence that the disputed domain name originally resolved to a website purportedly offering LINDT chocolate products at heavily discounted prices, prominently displaying the Complainant’s figurative LINDT trademark and inviting users to "create an account" or "sign in" by providing personal and financial information, including contact details and credit card information. However, as the Complainant undisputedly brought forward, it has no relationship whatsoever with the Respondent and has never licensed or otherwise authorized the Respondent’s to use its trademarks on the websites or in the disputed domain name.

In this Panel's view, it is therefore evident that the Respondent selected the disputed domain name with the intention to take unfair advantage of, abuse, or otherwise engage in behavior detrimental to the Complainant's registered trademark by registering a domain name containing that trademark and resolving to a website that mimics the Complainant's original brand and products.

Noting the absence of any disclaimer, the disputed domain name's content exacerbates the confusion caused by the incorporation of the Complainant's - distinctive - trademark in the disputed domain name by further impersonating the Complainant. Accordingly, the Respondent's previous use of the disputed domain name to host an impersonating webstore excludes any bona fide offering, noncommercial, or fair use of the disputed domain name from the outset.

3.

Finally, the Respondent by using the disputed domain name, has intentionally attempted to attract, for commercial gain, internet users to their websites or other online locations, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of their website or location or of a product or service on their website or location (paragraph 4(b)(iv) of the Policy).

It results from the documented and undisputed evidence provided by the Complainant that the disputed domain originally resolved to a website purportedly offering LINDT chocolate products at heavily discounted prices, prominently displaying the Complainant's figurative LINDT trademark and inviting users to "create an account" or "sign in" by providing personal and financial information, including contact details and credit card information. For the Panel, it is therefore evident that the Respondent positively knew the Complainant's trademarks and products. Consequently, and in the absence of any evidence to the contrary, the Panel is convinced that the Respondent also knew that the disputed domain name included the Complainant's trademark LINDT entirely when it registered the disputed domain name. Registration of a domain name which contains a third party's trademark, in awareness of said trademark and in the absence of rights or legitimate interests is suggestive of registration in bad faith. While the ability to purchase the goods is not known to the Panel, the alleged commercial offering and impersonation of the Complainant is sufficient to establish the Respondent's bad faith intent to mislead Internet users.

Beyond these circumstances exposed above, the Panel considers the following circumstances surrounding the registration of the disputed domain name, as suggesting that the Respondent was aware that it has no rights or legitimate interests in the disputed domain name, and that the disputed domain name has been registered and is being used in bad faith:

- the reputation of the trademark LINDT (in the chocolate sector), which is fully and identically incorporated in the disputed domain name;
- the Respondent's failure to submit a formal response;
- the Respondent's failure to provide any evidence of actual or contemplated good-faith use;
- the implausibility of any good faith use to which the disputed domain name may be put; and
- the fact that the Respondent provided, upon registration of the disputed domain name, an apparently invalid e-mail address, as evidenced by the Center's unsuccessful attempt to deliver the Written Notice thereto.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lindtsweets.com**: Transferred

PANELLISTS

Name	**Tobias Malte Müller**

DATE OF PANEL DECISION 2026-06-16

Publish the Decision