Decision for dispute CAC-UDRP-108641

Case number	CAC-UDRP-108641
Time of filing	2026-05-11 10:02:30
Domain names	russellstoversshop.com, russellstoverclub.com

Case administrator

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

Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG

Complainant representative

Organization	SILKA AB

Respondents

Name	zheng
Name	jieshu

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 names.

IDENTIFICATION OF RIGHTS

The Complainant relies on multiple registrations of the word mark RUSSELL STOVER including the following:

US trademark no. 739454 registered on 16 October 1962 in class 30;

EU trademark no. 004342077 registered on 28 April 2006 in classes 30 and 35;

International trademark no. 1243266 registered on 28 January 2015 in classes 29, 30, 35 and 43.

FACTUAL BACKGROUND

The Complainant's group is a leading manufacturer of chocolates. In 2014 it acquired Russell Stover Chocolates, LLC, a manufacturer of chocolates based in the USA. The business of that company was founded in Denver, Colorada, in 1923, and

adopted the name "Russell Stover Candies" in 1943. In 2024 the Claimant's Russell Stover division had sales of USD 377 million.

The Complainant is the proprietor of multiple registrations of the mark RUSSELL STOVER, including the US, EU and international registrations identified above. Russell Stover products have been advertised through a website at russellstover.com for more than two decades. The Complainant also holds the domain names russellstover.net and russellstover.us.

The disputed domain names, <russellstoversshop.com and <russellstoverclub.com> were registered on 1 and 14 April 2026 respectively. Until the Complainant made takedown requests they were directed to websites promoting and offering for sale chocolate products under the mark RUSSELL STOVER without the Claimant's consent.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain names should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Panel finds that the Complainant has registered rights in the mark RUSSELL STOVER. The Panel further considers that each of the disputed domain names is confusingly similar to that mark, which they comprise in its entirety and from which they differ only in the addition of generic elements ("sshop" or "club") and the generic top level domain suffix, .com. The extra "s" in the former domain name may be taken to be a possessive case or a typographical error. Regarding the latter domain name, the word "club" is frequently used generically to denote subscriptions for premium chocolates.

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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 Panel accepts the Complainant's undisputed statement that it has not authorised the Respondents to use either of the disputed domain names.

The Panel further finds on the undisputed evidence that the Respondents have not used or made demonstrable preparations to use the disputed domain names for a bona fide offering of goods or services. On the contrary, the Panel finds that they have used the disputed domain names to locate websites that are falsely presented in bad faith as genuine websites of the Complainant.

It is also clear that the Respondents have not made any legitimate non-commercial or fair use of the disputed domain names and are not commonly known by these domain names or any corresponding names.

The Complainant has, to the satisfaction of the Panel, shown the Respondents to have no rights or legitimate interests in respect of the disputed domain names within the meaning of paragraph 4(a)(ii) of the Policy.

BAD FAITH

The Panel finds on the undisputed evidence that the Respondents have used the disputed domain names intentionally to attract Internet users to their websites for commercial gain by creating a likelihood of confusion with the Complainant's RUSSELL STOVER mark as to the source or endorsement of their websites.

In accordance with paragraph 4(b)(iv) of the Policy, this constitutes evidence of registration and use of the disputed domain names in bad faith. This presumption is not displaced by any contrary evidence.

Accordingly, the Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and are being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

PROCEDURAL FACTORS

The Panel is satisfied by the undisputed evidence presented by the Complainant that the disputed domain names are controlled by the same individual or entity and that consolidation of the Complainant's complaints in relation to them would be fair and equitable.

Accordingly, the Panel grants the Complainant's request for consolidation.

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

Disputed domain names contain a long-established and registered mark for chocolates now owned by the Complainant, together with generic elements. Respondents' websites impersonate the Complainant, offering chocolates for sale using the mark. The Panel finds that the disputed domain names are confusingly similar to Complainant's registered marks, that the Respondents have no rights or legitimate interests in respect of the disputed domain names, and that they were registered and are being used in bad faith. Paragraph 4(b)(iv) of the Policy applied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **russellstoversshop.com**: Transferred
2. **russellstoverclub.com**: Transferred

PANELLISTS

Name	**Jonathan Turner**

DATE OF PANEL DECISION 2026-06-23

Publish the Decision