Decision for dispute CAC-UDRP-108661

Case number	CAC-UDRP-108661
Time of filing	2026-05-19 10:39:19
Domain names	silvercrestuk.com

Case administrator

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

Complainant

Organization	Lidl Stiftung & Co. KG

Complainant representative

Organization	HK2 Rechtsanwälte

Respondent

Name	Fahimy Rskimy

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 demonstrated ownership of rights in the trademark SILVERCREST for the purposes of standing to file a UDRP complaint.

The Complainant is the owner, amongst others, of the following trademark registrations:

- United Kingdom trademark registration No. UK00910221505 for SILVERCREST (word mark), filed on August 26, 2011, and registered on May 16, 2012, in classes 7, 8, 9, 10 and 11;

- European Union trademark registration No. 010221505 for SILVERCREST (word mark), filed on August 26, 2011, and registered on May 16, 2012, in classes 7, 8, 9, 10 and 11;

- United States trademark registration No. 4293987 for SILVERCREST (word mark), filed on December 2, 2011, and registered on February 26, 2013, in international classes 7, 8, 9, 10 and 11;

- International trademark registration No. 1111060 for SILVERCREST (word mark), registered on December 2, 2011, in classes 7, 8, 9, 10 and 11.

FACTUAL BACKGROUND

The Complainant is one of the biggest supermarket chains in Europe and operates over 2.600 stores, which are primarily located in Europe and the United States.

The Complainant owns a broad portfolio of trademarks, including the SILVERCREST trademark, under which it markets small kitchen appliances such as kettles, air fryers, and similar products.

The Complainant provides information on the SILVERCREST brand and product ranges on an internal page of its website "www.lidl.de".

The disputed domain name <silvercrestuk.com> was registered on September 6, 2025, and resolves to a website displaying the SILVERCREST mark and images and descriptions of SILVERCREST products. The website includes links to the website "www.amazon.co.uk", where purported SILVERCREST kitchen appliances and other products are offered for sale. The following statement is published at the end of the home page: "Silvercrestuk.com participates in the Amazon Services LLC Associates Program, an affiliate advertising program designed to provide a means for sites to earn advertising fees by advertising and linking to Amazon.com". The first paragraphs of the "About Us" section of the website read: "Silvercrest is a premier manufacturer and distributor of high-quality home appliances and consumer electronics that combine innovative technology, elegant design, and exceptional value. Since our inception, we have been committed to delivering products that enhance everyday living while maintaining the perfect balance between functionality, aesthetics, and affordability".

PARTIES CONTENTIONS

COMPLAINANT

The Complainant contends that the disputed domain name is confusingly similar to its trademark SILVERCREST, as it incorporates the trademark in its entirety with the mere addition of the geographical abbreviation "uk", referring to United Kingdom, and the generic Top Level Domain ("gTLD") ".com", which are not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademark.

The Complainant submits that the Respondent does not have any rights or legitimate interests in the disputed domain name because: i) the disputed domain name has not been used in connection with a bona fide offering of goods or services, considering the disputed domain name is used by the Respondent to impersonate the Complainant by presenting itself as an official SILVERCREST website, displaying the Complainant's SILVERCREST mark and offering the Complainant's products for sale through Amazon pay-per-click links; ii) the disputed domain name is not being used for noncommercial or fair use, as the Respondent is seeking to derive commercial gain by displaying commercial "Buy on Amazon" links and the very composition of the disputed domain name carries a risk of implied affiliation with the Complainant; and iii) the Respondent is not commonly known by "Silvercrest" or "Silvercrestuk", does not own any trademark registrations for "Silvercrest" and was not granted any permission by the Complainant to use its trademark SILVERCREST.

The Complainant submits that the Respondent registered and used the disputed domain name in bad faith because: i) considering the incorporation of the Complainant's mark in the disputed domain name and the redirection of the disputed domain name to a website displaying commercial advertising links, the Respondent intentionally attempted to attract users for commercial gain within the meaning of paragraph 4(b)(iv) of the Policy; ii) the Respondent knew or should have known of the registration and use of the Complainant's prior trademark and a simple Google search would have revealed their presence; iii) there is no conceivable legitimate interest for the use of the disputed domain name by the Respondent, as any commercial use would necessarily infringe the Complainant's trademark, which has strong reputation; and iv) the use of a Whois privacy service to shield the registrant information in the public Whois of the disputed domain name indicates that the Respondent is seeking to conceal its identity.

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

1. The Complainant has provided evidence of ownership of valid trademark registrations for SILVERCREST.

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark as it reproduces the trademark in its entirety with the mere addition of the term ".uk", which can be interpreted as an abbreviation for "United Kingdom", and the gTLD ".com". As stated in prior decisions rendered under the Policy, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms and of the gTLD is not sufficient to prevent a finding of confusing similarity under the first element.

2. With reference to the Respondent's rights or legitimate interests in the disputed domain name, the Panel finds that the Complainant has made a prima facie case and that the Respondent, by not submitting a Response, has failed to provide any element from which a Respondent's right or legitimate interest in the disputed domain name could be inferred.

The Panel notes that, based on the records, the Respondent has not been authorized, licensed or otherwise permitted by the Complainant to use its trademark SILVERCREST. Moreover, there is no evidence that the Respondent might be commonly known by the disputed domain name or a name corresponding to the disputed domain name.

As highlighted above, the disputed domain name resolves to a website reproducing the Complainant's trademark SILVERCREST, displaying images and descriptions of SILVERCREST products and providing links to the "www.amazon.co.uk" website, where SILVERCREST kitchen appliances and other products are offered for sale. Moreover, the website does not include any information about its operator or any disclaimer of non-affiliation with the Complainant. The Panel finds that the disputed domain name has not been used in connection with a bona fide offering of goods or services or legitimate non-commercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark. Indeed, the Panel notes that content of the Respondent's website appears to be intentionally designed to reinforce the impression that it is a website operated by the Complainant or by one of its affiliated entities with the Complainant's consent.

The Panel also finds that the disputed domain name is inherently misleading since its composition suggests an affiliation with the Complainant.

Therefore, the Panel finds that the Complainant has demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain name according to paragraph 4(a)(i) of the Policy.

3. As to bad faith at the time of registration, the Panel finds that, in light of the prior registration and use of the trademark SILVERCREST in connection with the Complainant's kitchen appliances, the Respondent was or should have been aware of the Complainant when it registered the disputed domain name on September 6, 2025.

In light of the composition of the disputed domain name and the content of the website to which the disputed domain name resolves, reproducing the SILVERCREST mark and promoting the sales of purported SILVERCREST kitchen appliances, the Panel finds that the Respondent was indeed aware of, and intended to target, the Complainant and its trademark at the time of registration.

In view of the above-described use of the disputed domain name in connection with a website publishing images and information on the Complainant's SILVERCREST products, without disclaiming the lack of relationship with the Complainant and displaying links to a webpage of the "www.amazon.co.uk" website where SILVERCREST and third-party products are offered for sale, the Panel finds that the Respondent has been using the disputed domain name in order to intentionally attempt to attract Internet users to its website for commercial gain, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of its website, according to paragraph 4(b)(iv) of the Policy.

Therefore, the Panel finds that the Complainant has also demonstrated that the Respondent registered and is using the disputed domain name in bad faith according to 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. **silvercrestuk.com** : Transferred

PANELLISTS

Name	**Luca Barbero**

DATE OF PANEL DECISION 2026-06-25

Publish the Decision