Decision for dispute CAC-UDRP-108736

Case number	CAC-UDRP-108736
Time of filing	2026-06-16 15:14:10
Domain names	lactalisgroups.com

Case administrator

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

Complainant

Organization	Groupe Lactalis

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Dean Mitchel

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

According to the Complainant's documented allegations, which remained undisputed, it owns several trademarks “LACTALIS” such as verbal European trademark n° 1529833 registered on November 7, 2002 for goods and services in classes 1, 5, 10, 13, 16, 31, 33, 34, 40 and 42.

FACTUAL BACKGROUND

It results from the Complainant’s undisputed allegations that it is a French multi-national company founded in 1933 and engaged in the food industry, particularly the dairy sector. The Complainant has been operating under the name “Lactalis” since 1999.

The Complainant contends its trademark LACTALIS be distinctive and well-known.

Furthermore, the Complainant owns and uses the domain name <lactalis.com> registered on January 9, 1999.

The disputed domain name <lactalisgroups.com> was registered on June 10, 2026 and resolves to an inactive webpage. Furthermore, the undisputed evidence provided by the Complainant proves that MX servers are configured.

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 a trademark in which the Complainants have rights.

It results from the evidence provided, that the Complainant is the registered owner of various trademarks worldwide for “LACTALIS", in particular verbal European Union trademark registration n° 1529833 registered on November 7, 2002.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the trademark is clearly recognizable within the disputed domain name and the latter is confusingly similar to the mark for the purposes of the Policy (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Edition 3.1 (“WIPO Overview 3.1”) at section 1.7).

Although the addition of another term here, “groups”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy, WIPO Overview 3.1, section 1.8.

2.

The Panel further finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, pursuant to paragraph 4(a)(ii) of the Policy. In particular, the Panel's view, the Complainant has made a prima facie case that none of the circumstances listed in Paragraph 4(c) of the Policy are found in the case at hand and, therefore, that the Respondent lacks rights or legitimate interests in the disputed domain name.

According to the Complaint, which has remained unchallenged, the Complainant has no relationship in any way with the Respondent and did, in particular, not authorize the Respondent’s use of the Complainant’s trademark e.g. by registering the disputed domain name. Furthermore, the Panel notes that there is no evidence showing that the Respondent might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

Moreover, the Panel notes that the disputed domain name contains the Complainant’s trademark LACTALIS and that more likely than not, this trademark is not a trademark that one would legitimately adopt as a domain name unless to suggest an affiliation with

the Complainant. The Panel finds it most likely that the Respondent registered the disputed domain name with the intention to take advantage of the Complainant's reputation by registering a domain name containing the Complainant's trademark with the intent to mislead Internet users.

It is acknowledged that once the Panel finds a prima facie case is made by a complainant, the burden of production under the second element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain name (see WIPO Overview 3.1 at section 2.1). Since the Respondent in the case at hand failed to come forward with any allegations or evidence, this Panel finds, in the circumstances of this case, that the Respondent has no rights or legitimate interests in the disputed domain name.

3.

The Panel finally finds that the disputed domain name has been registered and is being used in bad faith pursuant to paragraph 4(a)(iii) of the Policy.

The Panel shares the view of other UDRP panels and finds that the Complainant's trademark LACTALIS is well-known (see e.g. WIPO Case No. D2022-2429, Groupe Lactalis v. paul goodrich and WIPO Case No. Case No. D2020-1701, Groupe Lactalis v. Contact Privacy Inc. Customer 1246860447 / Pietro Chirco, Pietro). Therefore, this Panel has no doubt that the Respondent positively knew or should have known that the disputed domain name consisted of the Complainant's trademark when registered the disputed domain name. Registration of the disputed domain name in awareness of the reputed LACTALIS mark and in the absence of rights or legitimate interests in this case amounts to registration in bad faith, see WIPO Overview 3.1, section 3.1.4.

The disputed domain name does not resolve to active website. In this regard, the Panel notes that the passive holding does not preclude a finding of bad faith (see WIPO Case No. D2000-0003, Telstra Corporation Limited v. Nuclear Marshmallows).

In fact, the further circumstances surrounding the disputed domain name's registration and use confirm the findings that the Respondent has registered and is using the disputed domain name in bad faith:

(1) the Complainant's trademark LACTALIS is well-known;

(2) the Respondent failed to submit a formal response or to provide any evidence of actual or contemplated good-faith use;

(3) the Respondent's concealing its identity;

(4) the disputed domain name having been set up with MX records, which suggests that it may be actively used for e-mail purposes; and

(5) the implausibility of any good faith use to which the disputed domain name may be put (see WIPO Overview 3.1 at section 3.3).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lactalisgroups.com**: Transferred

PANELLISTS

Name	**Tobias Malte Müller**

DATE OF PANEL DECISION 2026-07-22

Publish the Decision