Decision for dispute CAC-UDRP-108800

Case number	CAC-UDRP-108800
Time of filing	2026-07-01 09:43:24
Domain names	lactalisamerican-group.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Groupe Lactalis

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Claude Alston

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 the LACTALIS word mark and LACTALIS figurative mark (wherein the word LACTALIS is presented within a stylized elliptical swoosh device). Its registrations for these marks include:

- European Union Trade Mark No. 001529833, registered on 7 November 2002;
- International Registration No. 900154, registered on 27 July 2006;
- International Registration No. 1135514, registered on 20 September 2012;
- European Union Trade Mark No. 017959526, registered on 22 May 2019;
- United States (“U.S.”) Registration No. 6824877, registered on 23 August 2022; and
- U.S. Registration No. 6933510, registered on 27 December 2022.

The Complainant also owns a large domain names portfolio which includes the LACTALIS mark. The domain name registrations include <lactalis.com>, registered on 9 January 1999, and <lactalisamericangroup.com>, registered on 26 January 2009.

FACTUAL BACKGROUND

The Complainant is a French multinational company which is active principally in the dairy and food industry. It was founded in 1933 and has operated under the name LACTALIS since 1999. The Complainant is one of the world's largest dairy groups, with

approximately 85,500 employees and 266 production sites in 49 countries.

The disputed domain name <lactalisamerican-group.com> was registered on 11 May 2026. The disputed domain name did not resolve to an active website and returned a DNS error. The evidence also shows that MX records are configured for the disputed domain name.

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 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

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a complainant to show that a domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.

The Complainant has provided evidence that it owns registered trademark rights in the LACTALIS mark.

The disputed domain name <lactalisamerican-group.com> incorporates the LACTALIS mark in its entirety as its initial and dominant element. The addition of the terms "american", "group" and the intervening hyphen does not prevent the LACTALIS mark from remaining clearly recognizable within the disputed domain name. Indeed, it reinforces the likelihood of confusion since the terms correspond to the name of the Complainant's U.S. subsidiary, Lactalis American Group, Inc.

As for the generic Top-Level Domain ("gTLD") ".com", it is well established that the gTLD is a standard registration requirement and is disregarded in assessing identity or confusing similarity.

Consequently, the Panel finds that the Complainant has shown that the disputed domain name is confusingly similar to a trade mark in which the Complainant has rights.

Paragraph 4(a)(i) of the Policy has been satisfied..

B. Rights or Legitimate Interests

Once the complainant establishes a prima facie case that the respondent lacks rights or legitimate interests in the domain name, the burden of production shifts to the respondent to show that it has rights or legitimate interests in respect of the domain name.

In the present case, the Complainant has demonstrated a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name and the Respondent has failed to assert any such rights or legitimate interests.

The Complainant has provided evidence that it has been the registered owner of the LACTALIS mark long before the date that the disputed domain name was registered, Further, the Complainant has not authorized the Respondent to use the Complainant's trade mark and there is no evidence that the Respondent is commonly known by the disputed domain name.

Further, the disputed domain name does not resolve to an active website, and there is no evidence that the Respondent has used, or made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or for a legitimate non-commercial or fair use.

The Respondent did not submit a Response and did not provide any explanation for its choice of the disputed domain name nor evidence to show rights or legitimate interests which would be sufficient to rebut the Complainant's prima facie case.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Paragraph 4(a)(ii) of the Policy has been satisfied.

C. Registered and Used in Bad Faith

The Complainant must also show that the Respondent registered and is using the disputed domain name in bad faith (see Policy, paragraph 4(a)(iii)). Paragraph 4(b) of the Policy provides circumstances that may evidence bad faith under paragraph 4(a)(iii) of the Policy.

The LACTALIS mark had been registered and used for many years before the registration of the disputed domain name. The disputed domain name combines the LACTALIS mark with the terms "american" and "group", which correspond directly to the name of the Complainant's U.S. subsidiary, Lactalis American Group, Inc. The Panel is satisfied that the Respondent was aware of the Complainant and its LACTALIS trade mark at the time of registering the disputed domain name and specifically targeted the Complainant.

While the disputed domain name has not resolved to an active website, the non-use of the domain name does not prevent a finding of bad faith under the doctrine of passive holding. Having regard to the distinctiveness and reputation of the LACTALIS mark, the deliberate composition of the disputed domain name, and the Respondent's failure to submit a response or to provide any evidence of actual or contemplated good-faith use, the Panel is persuaded that the disputed domain name is being used in bad faith. In fact, considering the arbitrariness and distinctiveness of the LACTALIS mark, and the close similarity between the disputed domain name and the Complainant's <lactalisamericangroup.com> domain name, the Panel is of the view that it is not conceivable what good-faith use could have been validly asserted by the Respondent. See WIPO Overview 3.1, section 3.3.

The configuration of MX records is a further relevant circumstance. Although the mere existence of MX records is not, by itself, conclusive evidence of abusive email activity, it creates the technical capability for email use. Where the disputed domain name closely impersonates the name of the Complainant's related U.S. entity, such capability presents an evident risk of deceptive email communications. This reinforces the Panel's finding of bad faith.

Paragraph 4(a)(iii) of the Policy has been satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lactalisamerican-group.com**: Transferred

PANELLISTS

Name	**Francine Tan**

DATE OF PANEL DECISION 2026-08-02

Publish the Decision