Decision for dispute CAC-UDRP-108817

Case number	CAC-UDRP-108817
Time of filing	2026-07-09 10:48:48
Domain names	lactalisintl.com

Case administrator

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

Complainant

Organization	Groupe Lactalis

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Princess Zabat

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 owns several trade marks consisting of or incorporating the name LACTALIS, including the European Union trade mark LACTALIS, registration number 1529833, first registered on 7 November 2002 in international classes 1, 5, 10, 13, 16, 31, 33, 34, 40 and 42; the international trade mark LACTALIS, registration number 900154, first registered on 27 July 2006 in international classes 29, 30 and 35; the international trade mark LACTALIS, registration number 1135514, first registered on 20 September 2012 in international classes 5, 29, 30, 32 and 35; and the European Union trade mark LACTALIS, registration number 017959526, first registered on 22 May 2019 in international classes 1, 5, 7, 9, 16, 21, 24, 25, 28-36, and 38-45. The aforementioned trade mark registrations, of the Complainant, all predate the registration of the disputed domain name.

Furthermore, the Complainant owns the domain name <lactalis.com>, registered on 9 January 1999, which consists of and incorporates the name LACTALIS and is connected to the Complainant's official website through which it informs Internet users and consumers about its products and services.

FACTUAL BACKGROUND

The Complainant is a French multi-national company founded in 1933 and is engaged in the food industry, in particular, in the dairy sector. The Complainant has been operating under the name “Lactalis” since 1999. LACTALIS is one of the largest dairy product groups in the world, with over 85,500 employees, 266 production sites, and a presence in 49 different countries.

The disputed domain name <lactalisintl.com> was registered on 13 April 2026 and resolves to an inactive page. There is no evidence before the Panel to suggest that the disputed domain name has ever been used for an active website since it was registered. However, the Complainant has adduced evidence to show that the disputed domain name was used in a phishing scheme.

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 trade mark 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

With regard to the first UDRP element, the Panel finds that the disputed domain name <lactalisintl.com> is confusingly similar to the Complainant's trade mark LACTALIS. Indeed, the disputed domain name incorporates the Complainant's trade mark in its entirety but adds the term “intl” (commonly accepted as an abbreviation for the word “international”) as a suffix to the Complainant's trade mark. The Panel follows in this respect the view established by numerous other decisions that a domain name which wholly incorporates a Complainant's registered trade mark may be sufficient to establish confusing similarity for the purposes of the UDRP (see, for example, WIPO Case No. D2003-0888, Dr. Ing. h.c. F. Porsche AG v. Vasiliy Terkin <porsche-autoparts.com>). The Panel further considers it to be well established that the addition of a descriptive or geographical term does not allow a domain name to avoid confusing similarity with a trade mark (see, for example, WIPO Case No. D2019-2294, Qantas Airways Limited v. Quality Ads <qantaslink.com>; and CAC Case No. 102137, Novartis AG v. Black Roses <novartiscorp.com>). Other panels have previously found that “[W]here the relevant trademark is recognizable within the Disputed Domain Name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element” (see WIPO Overview 3.0, section 1.8; and, for example, WIPO Case No. D2023-2542, Merryvale Limited v. tao tao <wwbetway.com>; and WIPO Case No. D2020-0528, Philip Morris Products S.A. v. Rich Ardtea <global-iqos.com>). Against this background, the Panel finds that the addition of the abbreviation “intl” to the Complainant’s trade mark is not sufficient to alter the overall impression of the designation as being connected with the Complainant's trade mark and does not prevent a likelihood of confusion between the disputed domain name and the Complainant and its trade mark. To the contrary, the disputed domain name rather adds to the likelihood of confusion because the addition of the abbreviation “intl”, in conjunction with the Complainant's trade mark Lactalis, suggests that the disputed domain name links to Lactalis International, the export division of the Complainant, and implies that it is linked to the Complainant and its business.

With regard to the second UDRP element, there is no evidence before the Panel to suggest that the Respondent has made any use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. Neither is there any indication that the Respondent is making legitimate non-commercial or fair use of the disputed domain name.

Indeed, the disputed domain name is not being used for any active website but resolves to an inactive page. A lack of content at the disputed domain has in itself been regarded by other panels as supporting a finding that the Respondent lacked a bona fide offering of goods or services and did not make legitimate non-commercial or fair use of the disputed domain name (see, for example, Forum Case No. FA 1773444, Ashley Furniture Industries, Inc v. Joannet Macket/JM Consultants). The Panel further finds that the Respondent is not affiliated with or related to the Complainant in any way and is neither licensed nor otherwise authorised to make any use of the Complainant's trade marks, or to apply for or use the disputed domain name. Additionally, the Whois information for the disputed domain name does not suggest that the Respondent is commonly known by the disputed domain name <lactalisintl.com>. Past panels have held that a respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name, as is equally not the case here (see, for example, Forum Case No. FA 1781783, Skechers U.S.A., Inc. and Skechers U.S.A., Inc. II v. Chad Moston / Elite Media Group <bobsfromsketchers.com> ("Here, the WHOIS information of record identifies Respondent as "Chad Moston / Elite Media Group." The Panel therefore finds under Policy ¶ 4(c)(ii) that Respondent is not commonly known by the disputed domain name under Policy ¶ 4(c)(ii).")). Furthermore, the Complainant adduced evidence to show that the disputed domain name has been used for phishing purposes by sending at least one e-mail from an e-mail address incorporating the disputed domain, purportedly on behalf of "Lactalis International". The Panel categorically agrees with the established view that the use of a domain name for illegal activity can never confer rights or legitimate interests on a respondent. The Panel follows in this regard an established line of cases: CAC Case No. 101578 <ARLEFOOD.COM> found that "To the contrary, it appears that the Respondent has used the disputed domain name to impersonate the Complainant and fraudulently attempt to obtain payments and sensitive personal information. The use of the disputed domain name in connection with such illegal activities cannot confer rights or legitimate interests on the Respondent"; see also CAC Case No. 102290 <PEPSICOGDV.COM> (carrying out phishing attacks spoofing the Complainant's identity to send fraudulent e-mails for financial gain); CAC Case No. 103393 <SonyCreativeSoftware.Info> ("the use of a domain name for illegal activity (e.g. phishing) can never confer rights or legitimate interests on a respondent"); WIPO Case No. D2021-2097, Ivax LLC v. Contact Privacy Inc. Customer 0161280011/ Name Redacted <ivaxcorporation.com> ("use of a domain name for illegal activity – including the impersonation of the complainant and other types of fraud – can never confer rights or legitimate interests on a respondent"; and WIPO Case No. D2019-2045, Auchan Holding v. Domains By Proxy, LLC / NAME REDACTED <achats-auchan.com>. Against this background, and absent any response from the Respondent, or any other information indicating the contrary, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

With regard to the third UDRP element, the Panel considers that the Respondent must clearly have been aware of the Complainant's LACTALIS name and trade mark because she deliberately used the disputed domain name to send at least one phishing e-mail, seeking to impersonate the international division within the Complainant's group. The Panel again follows an established line of cases in finding that registration and use of a domain name for phishing purposes constitutes bad faith. (See, for example: WIPO Case No. D2018-1815: "Respondent registered the disputed domain name which is nearly identical in appearance to Complainant's distinctive trademark. As the disputed domain name effectively impersonates Complainant, there is no evident ground for Respondent to have selected it, other than for using it to induce Internet users, including e-mail recipients, to confuse the owner/sponsor of a website or the sender of an e-mail with Complainant and its products. Regrettably, it is not uncommon for domain names which closely approximate distinctive trademarks to be used as instruments of fraud or other abuse. Respondent has failed to provide any explanation for its decision to register the disputed domain name, and the Panel is unable to discern or infer any plausible legitimate reason for Respondent to have registered the disputed domain name. These circumstances are sufficient to establish Respondent's registration and use of the disputed domain name in bad faith". See further: CAC Case No. 101578, where the panel concluded that: "As recognized in previous UDRP decisions, the use of a domain name for purposes other than to host a website may constitute bad faith where, like in the case at hand, the circumstances suggest that the disputed domain name has been used for fraudulent purposes such as the sending of deceptive emails to obtain sensitive or confidential personal information or to solicit payment of fraudulent invoices by the Complainant's actual or prospective customers"). In similar circumstances, previous UDRP panels have also stated that "the use of the disputed domain name in connection with a fraudulent email scheme can only lead to the conclusion that the disputed domain name is being used in bad faith" (see, for example, SAP SE v. Anuoluwapo Akobi, WIPO Case No. D2018-0624). Furthermore, if the Respondent had carried out Google search for the term "Lactalisintl", the search results would have yielded immediate results related to the Complainant and its connected business, products and services. Indeed, it is likely that the disputed domain would not have been registered if it were not for the Complainant's trade mark (see, for example, WIPO Case No D2004-0673 Ferrari Spa -v- American Entertainment Group Inc <ferrariowner.com>). Furthermore, the disputed domain name is inactive. The Respondent has not demonstrated any activity in respect of the disputed domain name. First, it is difficult to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate on the grounds that it would constitute passing off, an infringement of consumer protection legislation, or an infringement of the Complainant's rights under trade mark law under circumstances where the disputed domain name corresponds to the Complainant's trade mark. Secondly, numerous other UDRP decisions have taken the view, which this Panel shares, that the passive holding of a domain name with knowledge that the domain name infringes another party's trade mark rights may in itself be regarded as evidence of bad faith registration and use (see, for example, WIPO Case No. D2000-0003, Telstra Corporation Limited v. Nuclear Marshmallows; and WIPO Case No. D2004-0615, Comerica Inc. v. Horoshiy, Inc.). Absent any response from the Respondent, or any other information indicating the contrary, the Panel therefore also accepts that the Respondent has registered and is using the disputed domain name in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lactalisintl.com**: Transferred

PANELLISTS

Name	**Gregor Kleinknecht LLM MCIArb**

DATE OF PANEL DECISION 2026-07-31

Publish the Decision