

Decision for dispute CAC-UDRP-108884

Case number	CAC-UDRP-108884
Time of filing	2026-07-29 16:51:20
Domain names	lindt.mom

Case administrator

Name	Olga Dvořáková (Case admin)
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Complainant

Organization	Chocoladefabriken Lindt & Sprüngli AG
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Complainant representative

Organization	SILKA AB
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Respondent

Name	Evgeniy Momaev
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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 proved to own the following trademark rights, inter alia:

- German trademark LINDT n°91037 registered on September 27, 1906 and duly renewed, for goods in class 30;
- United States trademark LINDT n° 87306 registered on July 9, 1912 and duly renewed, for goods in class 30;
- Canadian trademark LINDT n°UCA26258 registered on October 17, 1946 and duly renewed, for goods in class 30;
- International trademark LINDT n°217838 registered on March 2, 1959 and duly renewed, for goods in class 30;
- Swiss trademark LINDT n° 349150 registered on October 29, 1986 and duly renewed, for goods in classes 30 and 32;
- International trademark LINDT n° 622189 registered on July 12, 1994 and duly renewed, for goods in class 30;
- Australian trademark LINDT n°704669, with a priority date of March 14, 1996, for goods in class 30;
- European Union trademark LINDT n°000134007 registered on September 7, 1998 for goods in class 30;
- International trademark LINDT n° 936939 registered on July 27, 2007 for goods and services in classes 6, 14, 16, 18, 21, 25, 28, 41.

The Complainant also owns the following domain names:

- <lindt.com> registered on December 16, 1997;
- <lindt.de> registered on August 13, 1996;
- <lindt.ch> registered on June 2, 1996;
- <lindt.co.uk> registered on October 17, 1996;

- <lindt.se> registered on December 2, 2004;
- <lindt.com.nl> registered on September 9, 2021;
- <lindt.it> registered on June 12, 1996;
- <lindtusa.com> registered on October 11, 2001;
- <lindt.ca> registered on October 16, 2000;
- <lindt.com.br> registered on March 3, 2009;
- <lindt.jp> registered on August 3, 2006;
- <lindt.cn> registered on March 18, 2003;
- <lindt-spruengli.com> registered on June 25, 2007.

FACTUAL BACKGROUND

The Complainant, Chocoladefabriken Lindt & Sprüngli AG, founded in 1845, is a well-known Swiss chocolate manufacturer and a global leader in the premium chocolate category. It produces high-quality chocolates at 12 factories in Europe and the United States. Its products are sold by over 40 subsidiaries and branch offices, in more than 600 of its own stores, as well as via a global network of approximately 100 distributors. With over 15,000 employees, the Complainant reported sales of CHF 5.92 billion in 2025. Over the years, the Complainant has expanded its brand portfolio abroad and acquired chocolate businesses including Hofbauer and Küfferle (1994), Caffarel (1997), Ghirardelli (1998) and Russell Stover (2014).

The Respondent registered the disputed domain name <lindt.mom> on July 19, 2026.

The disputed domain name was registered through the Registrar Dynadot LLC. The registrant's identity was initially masked by a privacy service (Super Privacy Service LTD c/o Dynadot) and was disclosed by the Registrar, in the course of the registrar verification, as Evgeniy Momaev, Harburg, Germany. The Complainant amended the Complaint accordingly.

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

Identity (paragraph 4(a)(i) of the Policy)

The Panel finds that the Complainant has established rights in the LINDT trademark through its registered trademark rights.

Indeed, the disputed domain name <lindt.mom> reproduces the Complainant's LINDT trademark in its entirety and without modification. The applicable ".mom" generic Top-Level Domain is a technical requirement of registration and is disregarded for the purpose of assessing identity or confusing similarity under the first element of the Policy.

Thus, the Panel finds that the disputed domain name is identical to the Complainant's LINDT trademark.

Absence of Rights or Legitimate Interests (paragraph 4(a)(ii) of the Policy)

The Panel finds that the Complainant has made out a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name.

There is no evidence that the Respondent is commonly known by the name "LINDT" or by the disputed domain name, nor that the Respondent has acquired any trademark or other rights in that term. The Complainant has further confirmed that the Respondent is neither affiliated with nor authorised by the Complainant to use the LINDT trademark. Nor does the term "lindt" have any dictionary or ordinary-language meaning capable of providing an independent basis for its use.

According to the Complainant, the manner in which the disputed domain name has been used does not support any claim to a bona fide offering of goods or services or to legitimate non-commercial or fair use. The associated website substantially reproduces the appearance and content of the Complainant's official German website, including its trademarks, logo, promotional material, layout and corporate information. It also purports to offer LINDT-branded products and invites Internet users to provide account and personal information, including their full name, date of birth, e-mail address and password.

Such use creates a misleading impression that the website is operated by, affiliated with, or authorised by the Complainant. The Panel considers that an impersonating website of this nature cannot give rise to rights or legitimate interests under the Policy.

Moreover, the disputed domain name consists solely of the Complainant's distinctive LINDT trademark at the second level and therefore carries a significant risk of implied affiliation. Nothing in the composition of the disputed domain name or in the content of the associated website serves to dispel that impression.

Finally, the Respondent had the opportunity to provide its arguments in support of its rights or legitimate interests in the disputed domain name. However, by failing to file a response, the Respondent has missed this opportunity and the Panel is entitled to draw such inferences from the Respondent's failure as it considers appropriate in accordance with Paragraph 14 of the Rules.

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

Bad faith (paragraph 4(a)(iii) of the Policy.)

The Complainant showed that the LINDT trademark is distinctive and has been used and registered for many years in numerous jurisdictions and that it enjoys a substantial reputation in the premium chocolate sector, as previous UDRP panels have also acknowledged. In light of the reputation attached to the mark, the identity between the second-level portion of the disputed domain name and the Complainant's trademark, and the manner in which the associated website has been configured, the Panel considers it highly unlikely that the Respondent selected the disputed domain name without prior knowledge of the Complainant and its rights.

That conclusion is reinforced by the content of the website. The evidence shows that the Respondent has reproduced numerous elements of the Complainant's official German website, including the LINDT mark and logo, visual content, page structure and corporate information. The website also purports to offer LINDT-branded products and invites users to submit personal and account information.

The Panel considers that such use is designed to give Internet users the impression that the disputed domain name and the associated website are operated by, affiliated with, or endorsed by the Complainant. The use of the disputed domain name in this manner is capable of attracting Internet users by creating confusion as to the source, sponsorship, affiliation or endorsement of the website and falls within the circumstances contemplated by paragraph 4(b)(iv) of the Policy. The commercial nature of that use is confirmed by the fact that the website purports to offer LINDT-branded products for sale at a discount.

The collection of personal and account information through a website impersonating the Complainant further reinforces the finding that the disputed domain name is being used for deceptive purposes rather than for any legitimate activity. Such conduct, amounting to impersonation and phishing, is manifestly evidence of bad faith.

To the Panel's opinion, this shows that the disputed domain name was registered in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lindt.mom**: Transferred

PANELLISTS

Name	Nathalie Dreyfus
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DATE OF PANEL DECISION	2026-09-04
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Publish the Decision