Decision for dispute CAC-UDRP-108925

Case number	**CAC-UDRP-108925**
Time of filing	**2026-08-17 12:21:44**
Domain names	**lindtt.shop, lindts.shop**

Case administrator

Name	**Olga Dvořáková (Case admin)**

Complainant

Organization	**Chocoladefabriken Lindt & Sprüngli AG**

Complainant representative

Organization	**SILKA AB**

Respondent

Name	**Karen Espino**

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings relating to the disputed domain names.

IDENTIFICATION OF RIGHTS

The Complainant has established trademark rights in the “LINDT” mark through registrations in multiple jurisdictions worldwide, including the following:

Trademark	Jurisdiction	Registration Number	Registration Date
LINDT	International	1277242	7 Oct 2015
LINDT	European Union	000134007	7 Sep 1998
LINDT	International	622189	12 Jul 1994
LINDT	International	576529	10 Sep 1991

LINDT	Canada	UCA26258	17 Oct 1946
LINDT	United Kingdom	UK00000551197	17 May 1934
LINDT	United States	87306	9 Jul 1912
LINDT	Germany	91037	27 Sep 1906

FACTUAL BACKGROUND

Since its founding in Switzerland in 1845, the Complainant has grown into one of the leading companies in the worldwide premium chocolate and confectionery sector. Its portfolio comprises approximately 2,500 products commercialized under several renowned brands, including “LINDT”, “GHIRARDELLI”, and “RUSSELL STOVER”. The Complainant operates 12 production facilities across Europe and the United States and maintains a significant international footprint through 41 subsidiaries and branch offices, more than 600 proprietary retail stores, and a distribution network of over 100 independent partners serving markets around the globe. Employing in excess of 15,000 people worldwide, the Complainant reported net sales of CHF 5.92 billion and an operating profit of CHF 971 million in 2025.

The Complainant has submitted further evidence demonstrating the extensive commercial recognition and strong market position of the “LINDT” brand. Independent brand valuation reports consistently identify “LINDT” as one of the most valuable and recognizable brands within the global food sector. For instance, in the 2025 Brand Finance Food 100 ranking, “LINDT” was placed among the top ten food brands worldwide, with an estimated brand value of approximately USD 4.9 billion.

It is also relevant to emphasize the Complainant’s longstanding and substantial presence on the Internet. Among its principal online assets, the Complainant owns and operates the domain name <lindt.com>, registered on December 16, 1997, and continuously used since 1998. This domain serves as the primary entry point to the Complainant’s online ecosystem, automatically redirecting visitors to the website corresponding to their geographic location. The country-specific websites accessible through this mechanism generally provide information regarding the Complainant’s products, activities, and corporate presence in the relevant market and, in many cases, offer consumers the ability to purchase products directly online.

Beyond its official websites, the Complainant has established a significant presence across leading social media platforms. The Complainant’s official Facebook account has amassed nearly seven million followers, while its Instagram and LinkedIn profiles have attracted more than 200,000 and approximately 160,000 followers, respectively. The scale of this online engagement is indicative of the considerable goodwill, visibility, and public recognition that the “LINDT” mark enjoys among consumers worldwide.

PARTIES CONTENTIONS

COMPLAINANT:

The disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights

The Complainant owns an extensive portfolio of trademark registrations for the “LINDT” mark in numerous jurisdictions worldwide. These registrations conclusively establish the Complainant's rights in the “LINDT” trademark and are sufficient to meet the first limb of the Policy.

A comparison of the disputed domain names and the Complainant's trademark further confirms confusing similarity. The disputed domain names incorporate the “LINDT” mark in its entirety and merely add an additional letter “t” (see <lindtt.shop>) and an additional letter “s” (see <lindts.shop>) at the end of the trademark. These slight alterations do not materially affect the overall impression conveyed by the disputed domain names, within which the Complainant's “LINDT” mark remains clearly recognizable.

In the Complainant’s view, the addition of a second “t” or “s” to the “LINDT” mark in the disputed domain names in the present case represents precisely the type of minor typographical deviation that panels have repeatedly found insufficient to dispel confusing similarity.

In addition to the above, the inclusion of the generic Top-Level Domain (“gTLD”) “.shop” in the disputed domain names does not lead to a different conclusion.

In summary, the disputed domain names reproduce the Complainant's “LINDT” mark with only insignificant spelling deviations (the addition of the letters “t” or “s” at the end of the LINDT mark) that do not prevent Internet users from recognizing the “LINDT” mark. Given that the gTLD “.shop” is irrelevant for comparison purposes under the confusing similarity test, the Complainant submits that the disputed domain names are confusingly similar to a trademark in which it has rights. Consequently, the requirement set out in paragraph 4(a)(i) of the Policy is fully met.

The Respondent has no rights or legitimate interests in respect of the disputed domain names

In assessing whether a respondent possesses rights or legitimate interests, paragraph 4(c) of the Policy identifies a number of non-exhaustive circumstances that may support such a finding. These include:
- (i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
- (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or
- (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Complainant respectfully submits that none of the circumstances contemplated by paragraph 4(c) of the Policy are present in this case. Rather, the available evidence demonstrates that the Respondent lacks any rights or legitimate interests in the Domain Names. In particular, and to the best of the Complainant's knowledge:

The Respondent has never received any authorization, consent, license, or other form of permission to use the “LINDT” mark, whether in its original form or in a modified version, in connection with the registration or use of the disputed domain names. Furthermore, the Complainant is unaware of any trademark rights held by the Respondent in “lindtt.shop”, “lindtt”, “lindts.shop” or “lindts”. Indeed, searches carried out through the EUIPO TMview database did not identify any trademark registrations corresponding to any of those terms. The Complainant has likewise found no evidence indicating that the Respondent is commonly known by “lindtt.shop”, “lindtt”, “lindts.shop” or “lindts”. Moreover, neither term appears to possess any independent meaning or recognized significance in the English language. As demonstrated by the evidence annexed as Annex 14, the expressions “lindtt.shop”, “lindtt”, “lindts.shop” or “lindts” appear to be arbitrary designations whose only apparent purpose is to evoke and imitate the Complainant’s “LINDT” mark.

Apart from the circumstances outlined above, the Complainant is not aware of any evidence demonstrating that the Respondent has used, or undertaken any genuine preparations to use, the disputed domain names for a legitimate offering of goods or services. Similarly, there is nothing to suggest that the disputed domain names have been used for any legitimate non-commercial purpose or fair use. While the disputed domain names do not currently resolve to operational websites, this situation arose only after the Complainant initiated takedown measures. Prior to the removal of their websites, the disputed domain names were actively used in a manner that misleadingly conveyed the impression of an affiliation with, sponsorship by, or authorization from the Complainant.

As evidenced by, the websites previously accessible through the disputed domain names made extensive use of the “LINDT” mark across numerous sections of the site. The websites also displayed products bearing the Complainant's trademark and offered them for sale at heavily discounted prices.

Furthermore, users who attempted to place orders were prompted to disclose a range of personal and financial information, including their names, postal addresses, email addresses, telephone numbers, and payment card details. Likewise, the websites offered a “Sign up” section, where potential users were requested to provide an email address to register. Compounding the likelihood of confusion, the websites also included a “Story of Lindt” section, with information relating to the Complainant and its products. Furthermore, their “Contact Us” sections displayed details referring to a purported entity named “Lindt & Spruengli (USA) Inc.”, a designation that is virtually identical to the name of the Complainant’s United States subsidiary, Lindt & Sprüngli (USA) Inc. The website further listed as its physical address One Fine Chocolate Place, Stratham, NH 03885, United States, which corresponds to the address of said Complainant's U.S. subsidiary. The overall presentation of the websites was clearly designed to create the false impression that they were operated, authorized, or otherwise connected with the Complainant. By reproducing the Complainant's trademark, displaying branded products, and replicating elements of the Complainant's online presence, the Respondent sought to exploit the reputation associated with the “LINDT” mark and to mislead Internet users into believing that they were dealing with official “LINDT” websites.

In light of the manner in which the websites were configured and operated, the Complainant submits that the Respondent cannot avail itself of the principles established under the Oki Data test for bona fide reseller activity. In particular, the websites did not contain any clear or prominent statement informing visitors that it was independent from, and unaffiliated with, the Complainant, as required by the standards reflected in WIPO Overview 3.1, section 2.8.1. On the contrary, the overall presentation of the websites appears to have been carefully designed to reinforce an impression of association with the Complainant. The Respondent further reinforced the false impression of an association with the Complainant through its extensive use of the “LINDT” mark, the adoption of a website design and overall presentation closely resembling the Complainant's official online presence, and the inclusion of information relating to the Complainant in the websites’ “Story of Lindt” section. The websites also displayed the address One Fine Chocolate Place, Stratham, NH 03885, United States, which corresponds to the business address of the Complainant’s United States subsidiary Lindt & Sprüngli (USA) Inc. Taken together, these elements were clearly intended to create the impression that the websites were operated, authorized, endorsed, or otherwise affiliated with the Complainant, and would inevitably lead Internet users to believe that they were dealing with official sites of the Complainant. Accordingly, the Complainant submits that the Respondent's conduct constitutes a clear instance of impersonation or passing off. Such conduct is fundamentally incompatible with any claim to rights or legitimate interests in the disputed domain names. This conclusion is reinforced by the fact that visitors to the websites were encouraged to disclose sensitive personal and financial information, including names, postal addresses, email addresses, telephone numbers, and payment card details. These circumstances raise serious concerns that the disputed domain names were being used in connection with phishing activities or other forms of online fraud. It is well established under UDRP precedent that the use of a domain name for unlawful or deceptive purposes cannot give rise to rights or legitimate interests. Consistent with WIPO Overview 3.1, section 2.13.1, panels have repeatedly held that activities such as phishing, identity theft, passing off, the operation of copycat websites, the sale of counterfeit goods, and other fraudulent schemes are inherently incapable of conferring rights or legitimate interests upon a respondent. In the present case, the evidence demonstrates that the Respondent's use of the disputed domain names falls squarely within this category.

Finally, the very composition of the disputed domain names gives rise to a risk of implied affiliation. By reproducing the “LINDT” mark in its entirety, the disputed domain names naturally convey the impression that they are connected to, sponsored by, or operated with the authorization of the Complainant. As recognized in WIPO Overview 3.1, section 2.5.1, domain names that consist of, or closely correspond to, a complainant's trademark are particularly prone to creating a false assumption of association. Besides, the presence of the gTLD “.shop” further contributes to the misleading impression that the disputed domain names may direct Internet users to online stores operated by the Complainant.

On another note, as previously mentioned, the disputed domain names no longer resolve to active websites, as they are currently suspended. However, the Complainant recalls that this passive holding of the disputed domain names does not serve to confer a finding of rights or legitimate interests.
In view of the foregoing circumstances, the Complainant submits that the Respondent is unable to demonstrate any credible basis upon which rights or legitimate interests in the disputed domain names could arise. The evidence relating to the Respondent's actual use of the disputed domain names confirms a pattern of misleading conduct, and the nature of the disputed domain names themselves leaves little room for any legitimate or good-faith use. Accordingly, the Complainant respectfully submits that it has established a prima facie case under paragraph 4(a)(ii) of the Policy, and that the requirements of the second element are therefore satisfied.

The disputed domain names were registered and are being used in bad faith

Bad faith registration

The disputed domain names were registered on July 23, 2026, and August 4, 2026, many years after the Complainant had acquired trademark rights in “LINDT” across numerous jurisdictions. By way of example, the Complainant is the owner of United States Trademark Registration No. 87306 for “LINDT”, registered in 1912, the United States being the country to which the websites purportedly target, as evidenced by their “Contact Us” section.

The considerable lapse of time between the Complainant’s acquisition of trademark rights and the registration of the disputed domain names strongly indicate that the Respondent was aware, or should have been aware, of those rights when registering the disputed domain names.

The Complainant’s “LINDT” trademarks are publicly available through trademark databases and are therefore easily discoverable. The Complainant also enjoys a significant online presence through its extensive domain name portfolio, including <lindt.com>, as well as through its official social media accounts on platforms such as Facebook and Instagram. Furthermore, Internet searches conducted prior to the registration of the disputed domain names generated numerous results relating to the Complainant and its business activities. Accordingly, even a basic trademark or Internet search would have disclosed the Complainant’s long-established rights in the “LINDT” mark.

In the present case, the disputed domain names consist of a typographical variation of the “LINDT” mark and previously resolved to websites that falsely suggested an association with the Complainant, thereby misleading Internet users. These circumstances, taken together, demonstrate that the Respondent intentionally targeted the Complainant and its trademark rights when registering the disputed domain names.

The “LINDT” mark has been recognized as well-known in numerous previous UDRP decisions. Given the distinctive character of the mark and the fact that the disputed domain names differ from it in each case only by the addition of one letter, the presumption of bad faith plainly applies in this case.
In light of the foregoing, the evidence demonstrates that the Respondent registered the disputed domain names with knowledge of the Complainant and its established trademark rights. The Complainant therefore submits that the disputed domain names were registered in bad faith within the meaning of the Policy.

Bad faith use

Having demonstrated that the disputed domain names were registered in bad faith, the Complainant further submits that the Respondent’s subsequent use of the disputed domain names likewise constitutes bad-faith use under paragraph 4(b)(iv) of the Policy. That provision recognizes bad faith where a respondent, by using a domain name, intentionally seeks to attract Internet users for commercial gain by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of a website or of the products and services offered through it.

In support of this contention, the Complainant notes that, although the disputed domain names are currently inactive following the removal of their infringing content pursuant to the Complainant’s takedown requests, the websites formerly associated with the disputed domain names extensively displayed the “LINDT” trademark and logo, featured images of genuine “LINDT” products, and were deliberately designed to imitate official websites of the Complainant. The websites enabled visitors to browse a catalogue of chocolate products, place items in a shopping cart, and proceed to a checkout page requiring the submission of personal and payment information. The overall appearance and functionality of the websites conveyed the false impression that they were operated, authorized, or endorsed by the Complainant. This misleading impression was reinforced by the inclusion of a “Story of Lindt” section on both websites expressly referring to the Complainant and the inclusion of the address One Fine Chocolate Place, Stratham, NH 03885, United States, which corresponds to the business address of one of the Complainant's U.S. subsidiaries, in the “Contact us” section of each site. Accordingly, the Respondent’s conduct can only be interpreted as a deliberate attempt to exploit consumer confusion for commercial advantage, thereby satisfying the requirements of paragraph 4(b)(iv) of the Policy.

Moreover, the Complainant submits that the Respondent’s prior use of the disputed domain names independently demonstrates bad faith, as it exposed Internet users to a substantial risk of deception. By reproducing the Complainant’s trademarks, logos, and branding elements, the websites falsely represented themselves as official online stores of the Complainant. Visitors were encouraged to provide highly sensitive personal and financial information, including names, email addresses, shipping details, and payment card information, through a purported purchasing process involving the Complainant’s products. The deceptive nature of the websites was further strengthened by the inclusion of a “Story of Lindt” section on the websites containing references to the Complainant, thereby concealing the true identity of their operator. Such conduct bears the hallmarks of phishing activity and constitutes compelling evidence of bad faith under the Policy. UDRP panels have repeatedly held that impersonating a complainant through a website designed to appear official is a strong indicator of bad faith.

Furthermore, while the disputed domain names are currently inactive following the takedown of the infringing websites, it is well established under UDRP jurisprudence that passive holding does not preclude a finding of bad faith. The circumstances of this case strongly support the application of the passive holding doctrine, as there is no plausible good-faith use to which the disputed domain names could be put. This conclusion is reinforced by several factors:

- The “LINDT” mark has consistently been recognized as a well-known trademark in previous UDRP decisions.
- The disputed domain names wholly incorporate the “LINDT” mark and merely add a letter “t” or a letter “s” at the end of the term and the gTLD “.shop” (creating the misleading impression that the Domain Names may direct Internet users to online stores operated by the Complainant). Given said composition, Internet users are likely to assume that the disputed domain names are somehow connected to the Complainant, despite the absence of any such relationship.
- The websites previously associated with the disputed domain names were intentionally crafted to resemble official online stores of the Complainant and did not contain any clear or prominent disclaimers clarifying the absence of affiliation.

Finally, the Complainant submits that the disputed domain names are textbook examples of typosquatting. The disputed domain names reproduce the Complainant’s “LINDT” mark in its entirety, differing only by the addition of an extra “t” and an extra “s”. Such minor alterations are insufficient to dispel the association with the Complainant and are plainly designed to take advantage of Internet users who may inadvertently mistype or misread the “LINDT” mark. As previously noted, UDRP panels have repeatedly held that the registration and use of a typosquatted domain name is strong evidence of bad faith, as it demonstrates the respondent’s awareness of the complainant’s trademark rights and an intention to exploit predictable typing errors or user confusion for its own benefit.

When considered collectively, these circumstances leave little doubt that the Respondent has used the disputed domain names in bad faith. The Complainant therefore submits that the requirement set forth in paragraph 4(a)(iii) of the Policy, namely that the disputed domain names have been registered and are being used in bad faith, is fully satisfied.

RESPONDENT

No administratively compliant Response was filed.

RIGHTS

To the satisfaction of the Panel, the Complainant has shown that the disputed domain names, as described below, are identical or confusingly similar to the trademark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

To the satisfaction of the Panel, the Complainant has shown the Respondent to have no rights or legitimate interests in respect of the disputed domain names, as described below (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

To the satisfaction of the Panel, the Complainant has shown the disputed domain names, as described below, have been registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under the UDRP have been met, and there is no other reason why it would be unsuitable to provide the Decision.

PRINCIPAL REASONS FOR THE DECISION

1. Identical or Confusingly Similar

The Panel is satisfied that the Complainant has established rights in the “LINDT” trademark through numerous registrations worldwide. Based on the record, the earliest registration relied upon is German Trademark Registration No. 91037, registered on September 27, 1906. The Complainant’s rights were subsequently registered, inter alia, in the United States on July 9, 1912, the United Kingdom on May 17, 1934, and Canada on October 17, 1946.

The disputed domain names <lindtt.shop> and <lindts.shop> reproduce the “LINDT” mark in its entirety, with only the addition of the letter “t” or “s”, respectively. The “LINDT” mark remains clearly recognizable in each disputed domain name.

Such minor variations do not prevent a finding of confusing similarity. See WIPO Overview 3.1, section 1.9. The “.shop” gTLD is disregarded for purposes of the comparison. WIPO Overview 3.1, section 1.11.

Accordingly, the Panel finds that the disputed domain names are confusingly similar to the Complainant’s “LINDT” trademark. The first element under paragraph 4(a)(i) of the Policy is therefore satisfied.

2. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, the Complainant must establish that the Respondent has no rights or legitimate interests in respect of the disputed domain names. While the burden of proof remains with the Complainant, a complainant may establish a prima facie case, after which the burden of production shifts to the respondent. WIPO Overview 3.1, section 2.1.

The Panel finds that the Complainant has established such a prima facie case. There is no evidence that the Respondent was authorized to use the “LINDT” trademark, is commonly known by either disputed domain name, or holds corresponding trademark rights. Nor is there evidence of any bona fide offering of goods or services or legitimate noncommercial or fair use.

Rather, the record shows that the disputed domain names were used for websites reproducing the Complainant’s “LINDT” trademark and products and presenting themselves in a manner calculated to suggest an affiliation with the Complainant. The websites referred to “Lindt & Spruengli (USA) Inc.”, used the address of the Complainant’s United States subsidiary, offered “LINDT” products for sale, and requested personal and payment information from visitors.

Such use cannot constitute a bona fide offering or legitimate fair use. It is instead consistent with impersonation and deceptive conduct. WIPO Overview 3.1, section 2.13.1. The composition of the disputed domain names, which incorporates the “LINDT” mark with only a minor typographical variation, further supports a finding of implied affiliation. WIPO Overview 3.1, section 2.5.1.

The Respondent filed no administratively compliant Response and has therefore provided no evidence capable of rebutting the Complainant’s prima facie case. The Panel has independently identified no circumstances in the record that would support a finding of rights or legitimate interests.

Accordingly, on the balance of probabilities, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The second element under paragraph 4(a)(ii) of the Policy is therefore satisfied.

3. Registered and Used in Bad Faith

The disputed domain names were registered on July 23, 2026, and August 4, 2026, respectively, more than a century after the Complainant’s earliest trademark registration identified in the record, German Trademark Registration No. 91037, registered on September 27, 1906. The disputed domain names reproduce the distinctive “LINDT” mark in its entirety, with only the addition of a single letter.

In the circumstances of this case, the Panel finds it more likely than not that the Respondent was aware of the Complainant and its trademark when registering the disputed domain names and deliberately targeted the “LINDT” mark. This conclusion is reinforced by the Respondent’s subsequent use of the disputed domain names for websites reproducing the Complainant’s trademark and products and presenting themselves as associated with the Complainant. See WIPO Overview 3.1, sections 3.1 and 3.2.

The prior websites used the name of the Complainant’s United States subsidiary and its address, offered “LINDT” products for sale, and solicited personal and payment information. The Panel finds that such conduct was intended to create a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the websites and therefore falls within paragraph 4(b)(iv) of the Policy.

The fact that the websites are no longer active does not alter this finding, particularly where the record establishes their prior deceptive use.

Taking the circumstances as a whole, the Panel finds, on the balance of probabilities, that the disputed domain names were registered and are being used in bad faith. The third element under paragraph 4(a)(iii) of the Policy is therefore satisfied.

4. Decision

For the preceding reasons and in concurrence with the provisions specified under Paragraph 4(i) of the Policy and Paragraph 15 of the Rules, the Panel orders the transfer of the disputed domain names, as per below, to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lindtt.shop**: Transferred
2. **lindts.shop**: Transferred

PANELLISTS

Name	**Rodolfo Rivas Rea**

DATE OF PANEL DECISION 2026-09-11

Publish the Decision