# Decision for dispute CAC-UDRP-108920

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| Case number | CAC-UDRP-108920 |
| Time of filing | 2026-08-11 12:47:39 |
| Domain names | beretta-hb.com |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | Salumificio Fratelli Beretta S.p.A. |

## Complainant representative

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| Organization | Giorgio Gazzola |

## Respondent

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| Name | Cao Chun Hui |

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 owner of various trademark registrations, including the following:

- European Union Ttademark registration no. 984831 for BERETTA, registered 22 May 2002;
- European Union Trademark registration no. 387282 for FRATELLI BERETTA 1812, registered on 19 October 1998;
- International Trademark registration no. 664713 FRATELLI BERETTA 1812 (stylized), registered on 12 November 1996;

The Complainant owns and operates multiple domain names, including it official domain name <fratelliberetta.com>, registered on 20 February 1999.

The Respondent is Cao Chun Hui, No. 6 Dongtou Xiaoqu, Nanma Zhongcun, Wentang Town, Pingshan County, Shijiazhuang City, Hebei Province, 050400, China. The disputed domain name was registered on 5 January 2026.

FACTUAL BACKGROUND

The Complainant, Salumificio Fratelli Beretta S.p.A., is an Italian company founded in 1812 and now in its ninth generation of family management. The Complainant is active in the premium charcuterie sector. It holds a portfolio of DOP (Protected Designation of Origin) and IGP (Protected Geographical Indication) products. The Complainant has an international presence, including production

facilities in the United States and a production plant in Ma'anshan, in China, operating since February 2012, and that it undertakes various marketing and sponsorship activities in Italy, elsewhere in Europe and in the United States.

## PARTIES CONTENTIONS

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

Language of the Proceeding. Paragraph 11 of the Rules provides that: "(a) Unless otherwise agreed by the Parties, or specified otherwise in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding."

The language of the Registration Agreement for the disputed domain name is Chinese. The Complainant requested that the language of this administrative proceeding be English. In support of that request the Complainant contends, in substance, that neither it nor its representatives are native Chinese speakers and that translation would be burdensome, costly and would delay the proceeding; that the disputed domain name consists entirely of Latin characters and reproduces the Complainant's BERETTA sign, with no element in Chinese; and that the Respondent, by selecting a domain name reproducing a European trademark of an Italian entity, demonstrated familiarity with a non-Chinese context.

The Respondent did not comment on the language of the proceeding.

Noting the aim of conducting the proceedings with due expedition, paragraph 10 of the UDRP Rules vests a panel with authority to conduct the proceedings in a manner it considers appropriate while also ensuring both that the parties are treated with equality, and that each party is given a fair opportunity to present its case. (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

## 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 BERETTA and FRATELLI BERETTA marks.

In this case, the disputed domain name reproduces the Complainant's BERETTA trademark in its entirety, with the addition of a hyphen and the letters "hb". The addition of the hyphen and letters "h" and "b", does not prevent a finding of confusing similarity.

Thus, the disputed domain name is confusingly similar to the Complainant's trademark.

As for the generic Top-Level Domain ("gTLD") ".com", it is well established that the gTLD is not relevant to the issue of identity or confusing similarity between the Complainant's trademark and the domain name in dispute.

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

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 BERETTA mark long before the date on which the disputed domain name was registered and that it has not authorised the Respondent to use the Complainant's trademarks. There is no evidence that the Respondent is commonly known by the disputed domain name. There is no evidence that the Respondent has been using, or has 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 Complainant further contends that the disputed domain name is associated with a site flagged by a third-party browser-safety service; the significance and weight of that material is addressed in relation to the discussion of the third element below.

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 in the disputed domain name 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.

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 Complainant's trademarks were registered years before the registration of the disputed domain name. The Complainant contends that, in these circumstances, it is highly unlikely that the Respondent was unaware of the Complainant and its trademark when it registered the disputed domain name.

The disputed domain name reproduces the Complainant's BERETTA trademark in its entirety, with the addition of a hyphen and the letters "hb". The Complainant provided evidence that the disputed domain name is being used in connection with a phishing operation, relying on a third-party browser-safety classification of the associated site as a "Dangerous site" with phishing detection.

By using the disputed domain name to host a site that trades on the Complainant's trademark in order to deceive Internet users and operate a phishing operation, the Respondent has registered and used the disputed domain name in bad faith under the Policy.

Given the particular circumstances of this case — including the distinctive nature of the Complainant's trademark, the priority of the Complainant's rights (including in China), the Respondent's default, the evidence of phishing operation, and the implausibility of any good-faith use to which the disputed domain name may be put — the Panel is persuaded that the Respondent registered and used the disputed domain name in bad faith.

Accordingly, having regard to the circumstances of this case, the Panel finds that the Complainant has met its burden under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **beretta-hb.com**: Transferred

## PANELLISTS

| Name | **Jonathan Agmon** |
| --- | --- |
| DATE OF PANEL DECISION | 2026-09-18 |

DATE OF PANEL DECISION 2020-09-18

Publish the Decision