

ADMINISTRATIVE PANEL DECISION

Groupe Lactalis v. Nguyễn Văn Tài
Case No. D2025-5378

1. The Parties

The Complainant is Groupe Lactalis, France, represented by Nameshield, France.

The Respondent is Nguyễn Văn Tài, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <lactalismilk.store> (the “Disputed Domain Name”) is registered with iNET Software Company Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 23, 2025. On December 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On December 25, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Disputed Domain Name which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 26, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on December 29, 2025.

On December 25, 2025, the Center informed the parties in Vietnamese and English, that the language of the registration agreement for the Disputed Domain Name is Vietnamese. On December 29, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was January 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 8, 2026.

The Center appointed Pham Nghiem Xuan Bac as the sole panelist in this matter on February 12, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant was founded in 1933 and is a French multi-national company engaged in the food industry, particularly the dairy sector. The Complainant has traded under the name "Lactalis" since 1999 and is one of the largest dairy products groups in the world, with over 85,500 employees, 266 production sites, and a presence in 51 countries.

The Complainant owns many trademark registrations that consist of or contain the element LACTALIS (the "LACTALIS trademark") in a variety of jurisdictions, including the International Trademark Registration No. 1135514 registered on September 20, 2012, designating, inter alia, Viet Nam, where the Respondent locates, in Classes 05, 29, 30, 32, 35; the European Union trademark registration No. 1529833 registered on November 7, 2002, in Classes 1, 5, 10, 13, 16, 31, 33, 34, 40, 42; and the International Trademark Registration No. 900154 registered on July 27, 2006, in Classes 29, 30, 35.

The Complainant is also the owner of the domain name <lactalis.com>, registered on January 9, 1999, which maintains active status.

The Disputed Domain Name was registered on December 12, 2025. As of the date of filing the Complaint and this Decision, the Disputed Domain Name is resolving to an inactive website.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name, as follows:

(i) The Disputed Domain Name is identical or confusingly similar to a trademark or service mark, in which the Complainant has rights.

The Complainant argues that the Disputed Domain Name is confusingly similar to its LACTALIS trademark, as it incorporates the element "LACTALIS" in its entirety.

The Complainant further submits that the addition of the descriptive term "milk", which refers to the Complainant's activities, does not prevent a finding of confusing similarity, as it does not change the overall impression of the designation as being connected to the Complainant's LACTALIS trademark.

Finally, the Complainant contends that the addition of the generic Top-Level Domain ("gTLD") ".store" is disregarded under the first element confusing similarity test.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

The Complainant contends that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Complainant further submits that the Respondent is not identified in the Whois database by the Disputed Domain Name, and that past panels have held that a respondent was not commonly known by a disputed domain name where the Whois information was not similar to the disputed domain name.

The Complainant also contends that it has not authorized, licensed, or otherwise permitted the Respondent to use the LACTALIS trademark in any manner, and that there is no relationship between the Complainant and the Respondent that would give rise to any right or legitimate interest in the Disputed Domain Name. According to the Complainant, it does not carry out any activity for, nor has any business with, the Respondent.

Finally, the Complainant asserts that the Respondent did not register or use the Disputed Domain Name in connection with any bona fide offering of goods or services, nor for any legitimate noncommercial or fair use. The Complainant notes that the Disputed Domain Name is currently inactive and submits that the Respondent has no demonstrable plan to use it, which further supports this assertion.

(iii) The Disputed Domain Name was registered and is being used in bad faith.

The Complainant contends that the Disputed Domain Name was registered and is being used in bad faith. The Disputed Domain Name incorporates the Complainant's well-known LACTALIS trademark in its entirety, with the mere addition of the descriptive term "milk", which refers to the Complainant's core business activities.

The Complainant submits that its LACTALIS trademark was already well-known and protected in numerous countries at the time of the registration of the Disputed Domain Name. The Complainant asserts that it is one of the world's leading producers of dairy products and enjoys a strong worldwide reputation. The Complainant notes that past panels have confirmed the well-known status of the LACTALIS trademark.

The Complainant further contends that, given the distinctiveness and reputation of the LACTALIS trademark, it is reasonable to infer that the Respondent registered the Disputed Domain Name with full knowledge of the Complainant's trademarks.

Finally, the Complainant asserts that the Disputed Domain Name is currently inactive, and that the Respondent has not demonstrated any activity in respect of it. The Complainant argues that it is not possible to conceive of any plausible actual or contemplated active use of the Disputed Domain Name by the Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of the Complainant's rights under trademark law. The Complainant submits that, as prior UDRP panels have held, the incorporation of a famous mark into a domain name, coupled with an inactive website, may be evidence of bad faith registration and use.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the Disputed Domain Name is Vietnamese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that (i) English is the primary language for international relations; (ii) the Disputed Domain Name contains the English word “milk” suggesting that the Respondent is likely capable of understanding English; and (iii) the Complainant has no knowledge of Vietnamese and the use of another language other than English would impose a burden of cost on the Complainant.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs (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.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant’s trademark and the Disputed Domain Name. [WIPO Overview 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other term here, “milk”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

In addition, the Panel determines that the addition of the gTLD “.store” in the Disputed Domain Name is disregarded, as it is viewed as a technical necessity. [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a Disputed Domain Name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name such as those enumerated in the Policy or otherwise.

Paragraph 4(c) of the Policy lists circumstances, in particular but without limitation, which, if found by the Panel to be proved, demonstrate the Respondent's rights or legitimate interests in the Disputed Domain Name for the purposes of paragraph 4(a)(ii) of the Policy, including:

- “(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.”

Regarding paragraph 4(c)(i) of the Policy, the Panel finds, based on the Complainant's submissions and supporting evidence, that the Respondent has not been granted any license, permission, or authorization to use the Complainant's LACTALIS trademark. Further, there is no evidence in the record to suggest that the Respondent owns any registered or unregistered trademark rights in any jurisdiction in respect of the term “lactalis”. Accordingly, the Panel finds that the Respondent has no trademark rights or legitimate interests in the Disputed Domain Name.

Regarding paragraphs 4(c)(ii) and 4(c)(iii) of the Policy, the Panel finds no evidence indicating that the Respondent, whether as an individual, business, or entity, is commonly known by the Disputed Domain Name, nor is the Respondent making a legitimate noncommercial or fair use of it. In fact, by incorporating the Complainant's distinctive trademark in its entirety within the Disputed Domain Name, the composition of the Disputed Domain Name affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the Disputed Domain Name and the Complainant as to the origin or affiliation of the website at the Dispute Domain Name, contrary to the fact, which cannot constitute fair use.

In addition, when a domain name closely matches a complainant's trademark, this is an indication of potential confusion or implied endorsement. In this present case, the Disputed Domain Name fully replicates the Complainant's LACTALIS trademark, without any distinctive alterations. Furthermore, the inclusion of the “.store” gTLD may increase confusion by suggesting a connection to the Complainant's sale efforts. Considering the Complainant's broad presence, it is likely that consumers might mistakenly link the Disputed Domain Name to the Complainant. In light of the above, the Panel finds that the Respondent is not making a legitimate noncommercial or fair use of the Disputed Domain Name.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith, including:

- “(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

In the present case, the Panel notes that the Complainant has put forth evidence that the Respondent has registered and used the Disputed Domain Name in bad faith. The Respondent did not formally reply to the Complainant's contentions and, therefore, did not refute the Complainant's contentions.

The Panel has considered the Complainant's assertions and evidence concerning the Respondent's registration and use of the Disputed Domain Name. The Panel notes that the Complainant's LACTALIS trademark has been registered and extensively used in numerous jurisdictions worldwide, including Viet Nam, where the Respondent resides, and has acquired a significant recognition as one of the world's leading producers of dairy products. The Panel further notes that prior UDRP panels have confirmed that the LACTALIS trademark is well-known. These trademark rights and their associated reputation predate the registration of the Disputed Domain Name.

The Disputed Domain Name incorporates the Complainant's LACTALIS trademark in its entirety, with the addition of the descriptive term “milk”, which directly refers to the Complainant's core business activities. Given the distinctiveness and well-known status of the LACTALIS trademark and its use in connection with dairy products worldwide, the Panel finds it implausible that the Respondent registered the Disputed Domain Name without knowledge of the Complainant and its trademark. On the contrary, the Panel is of the view that the Respondent was clearly aware of the Complainant and deliberately chose the Disputed Domain Name in order to create an association with the Complainant.

Panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. The Panel further observes that the Disputed Domain Name is currently inactive. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the Disputed Domain Name, and finds that in the circumstances of this case the passive holding of the Disputed Domain Name does not prevent a finding of bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the Disputed Domain Name <lactalismilk.store> be transferred to the Complainant.

/Pham Nghiem Xuan Bac/

Pham Nghiem Xuan Bac

Sole Panelist

Date: February 26, 2026