

ADMINISTRATIVE PANEL DECISION

Aldi GmbH & Co. KG, Aldi Stores Limited v. jiang jin hai
Case No. D2025-1825

1. The Parties

The Complainants are Aldi GmbH & Co. KG, Germany (the “First Complainant”) and Aldi Stores Limited, United Kingdom (the “Second Complainant”), represented by Freeths LLP, United Kingdom.

The Respondent is jiang jin hai, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <aldilovers.com> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on May 7, 2025. On May 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 8, 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 Complainants on May 12, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amendment to the Complaint in English on May 21, 2025.

On May 12, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On May 21, 2025, the Complainants requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainants’ submission.

The Center verified that the Complaint together with the amendment to the 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 in Chinese and English of the Complaint, and the proceedings commenced on May 30, 2025. In accordance with the

Rules, paragraph 5, the due date for Response was June 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 20, 2025.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on June 30, 2025. 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 Complainants and their connected group companies are one of the international leaders in grocery retailing. They have more than 5,000 stores across the world and are also active in countries such as Australia, Austria, Belgium, Denmark, France, Germany, Ireland, Luxembourg, the Netherlands (Kingdom of the), Poland, Portugal, Slovenia, Spain, Switzerland, and the United States of America. The Complainants operate their retail stores under the brand name ALDI. The First Complainant owns, and the Second Complainant is the licensee of, various registered trademarks which comprise and/or include the term "Aldi". The trademarks cover, among other things, a wide range of retail services.

The First Complainant owns a large international trademark portfolio for the ALDI trademarks, which include, but are not limited to the following registered trademarks: the United Kingdom Trademark No. UK00002250300 for ALDI (word mark), registered on March 30, 2001; European Union trademark No. 002071728 for ALDI (word mark), registered on April 14, 2005 and European Union trademark No. 003639408 for ALDI (word mark), registered on April 19, 2005. The Second Complainant also owns the domain name <aldi.co.uk>, which resolves to its main website. The Complainants and their connected companies also operate various other domain names including the ALDI trademark.

The disputed domain name was registered on April 17, 2024, and directs to an active, parking page on the Gname domain name platform, stating that the disputed domain name has already been registered but that "interested party can still solicit a request to buy it from owner" and displays a button on which Internet users can click to acquire the disputed domain name.

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend that the disputed domain name is confusingly similar to the First Complainant's prior registered trademarks for ALDI, since it contains such mark in its entirety. The Complainants also contend that the Respondent has no rights or legitimate interests in respect of the disputed domain name, is not commonly known by the disputed domain name and that the Respondent is not licensed, connected or related in any way with the Complainants. The Complainants also add that the Respondent has not made any legitimate noncommercial or fair use of the disputed domain name as described in the Policy and that the disputed domain name points to a parking page where the disputed domain name is offered for sale. The Complainants argue that this proves the Respondent's lack of rights or legitimate interests as well as the Respondent's bad faith. The Complainants also contend that it is inevitable that Internet users will be confused into believing that the disputed domain name has some form of association with the Complainants and therefore takes unfair advantage of the Complainants' rights. The Complainants also add that Internet users accessing the website at the disputed domain name are likely to believe that its content is endorsed or otherwise authorized by the Complainants, when this is not the case. Based on the above elements, the Complainants argue that the Respondent's has registered and is using the disputed domain name in bad faith.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

6.1 First Preliminary Issue: Consolidation of the Complainants

The Complaint was filed in the name of multiple Complainants and the Complainants therefore request consolidation of this proceeding in this regard. Concerning consolidation, the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0") states in section 4.11.1: "In assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation."

The Panel has carefully reviewed all elements of this case, giving particular weight to the following elements: the Complainants are related companies in the same corporate group, and the Second Complainant is operating under a trademark license from the First Complainant and both Complainants therefore have a common grievance based on trademark-abusive domain name registration and use against the Respondent. As such, the Panel concludes that all Complainants are the target of common conduct by the Respondent and have common grievances regarding the use of the relevant trademarks in the disputed domain name by the Respondent. The Panel accepts that permitting the consolidation would be fair and equitable to all Parties involved and would safeguard procedural efficiency. The Panel therefore allows the consolidation of the Complainants and shall hereafter refer to the Complainants jointly as "the Complainant".

6.2 Second Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. 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 the Second Complainant is English-speaking and based in the United Kingdom and because the disputed domain name and landing page adopt the English language and therefore target an English-speaking audience.

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 3.0](#), 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.

6.3 Findings on the Merits

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), section 1.7.

Although the addition of other terms here, "lovers", 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 3.0](#), section 1.8.

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 3.0](#), 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.

The Panel also notes that there are no elements in this case that point to the Respondent having made any reasonable and demonstrable preparations to use the disputed domain name in connection with a *bona fide* offering of goods or services. Although the composition of the disputed domain name may be seen as a fan site of the Complainant, there is no evidence available on record showing that the disputed domain name is used to host a genuine fan site (see [WIPO Overview 3.0](#), section 2.7). According to the evidence, the Respondent has only connected the disputed domain name to a parking page on the Gname domain name platform, stating that the disputed domain name has already been registered but that "interested party can still solicit a request to buy it from owner".

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.

In the present case, the Panel firstly accepts that the Complainant's ALDI marks are well known, as has been recognized earlier by multiple panels applying the Policy, see for instance: *Aldi GmbH & Co. KG, Aldi Stores Limited v. Nanci Nette*, WIPO Case No. [D2025-1830](#) and *Aldi GmbH & Co. KG & Aldi Stores Limited v. Bryer Grote*, WIPO Case No. [D2020-1815](#). The Panel notes that registration of the disputed domain name, which is confusingly similar to the Complainant's well-known and intensively used trademarks that have been registered decades before the registration date of the disputed domain name. The Panel also notes that even a cursory Internet search at the time of the registration of the disputed domain name would have made it clear to the Respondent that the Complainant owns prior rights in its trademarks for ALDI. Based on the available record and considering the use of the disputed domain name, the Panel finds on balance that the Respondent has registered the disputed domain name in bad faith.

As to use of the disputed domain name in bad faith, the evidence of use of the website linked to the disputed domain name demonstrates that the Respondent is attempting to sell the disputed domain name to the general public (since it mentions "interested party can still solicit a request to buy it from owner" and prominently displays a button underneath that text which invites Internet users to acquire the disputed domain name). This leads the Panel to conclude, on balance of the probabilities, that the Respondent is currently only using the disputed domain name to try to sell it to the Complainant, who is the owner of the corresponding trademark for ALDI, or to a competitor of the Complainant and likely to obtain undue financial benefits through such sale. The Panel notes that this constitutes direct evidence of bad faith of the Respondent under paragraph 4(b)(i) of 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 <aldilovers.com> be transferred to the Second Complainant, Aldi Stores Limited.

/Deanna Wong Wai Man/

Deanna Wong Wai Man

Sole Panelist

Date: July 7, 2025