

## **ADMINISTRATIVE PANEL DECISION**

Aldi GmbH & Co. KG, Aldi Stores Limited v. Zai Duck  
Case No. D2025-2096

### **1. The Parties**

The Complainants are Aldi GmbH & Co. KG, Germany, and Aldi Stores Limited, United Kingdom, represented by Freeths LLP, United Kingdom.

The Respondent is Zai Duck, United States of America.

### **2. The Domain Name and Registrar**

The disputed domain name <aldi-shopping.com> is registered with NameSilo, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 28, 2025. On May 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 28, 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 31, 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 on June 3, 2025.

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 of the Complaint, and the proceedings commenced on June 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 26, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 27, 2025.

The Center appointed Tommaso La Scala as the sole panelist in this matter on July 2, 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 are international leaders in grocery retailing. They have more than 5,000 stores across the world, including the United States of America where the Respondent supposedly resides.

The Complainants operate their retail stores under the ALDI brand name. The Complainant Aldi GmbH & Co. KG owns, and the Complainant Aldi Stores Limited is the licensee of, various registered trademarks which comprise and/or include the name ALDI. The trademarks cover, among other things, a wide range of retail services.

Among the others, Aldi GmbH & Co. KG owns the following registrations:

- United Kingdom Trademark No. UK00002250300 ALDI (word), registered on March 30, 2001;
- European Union Trademark No. 002071728 for ALDI (word), registered on April 14, 2005.

Aldi Stores Limited also owns the domain name <aldi.co.uk> since 1996, which resolves to its official website.

The disputed domain name was registered on December 17, 2024, and is currently connected to a webpage without content, even though it previously resolved to a parking page with generated pay-per-click links.

#### **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.

The Complainants are the owner/the licensee of several earlier trademark registrations for ALDI, which is a brand widely known by the public. The disputed domain name fully incorporates the ALDI mark, and the mere addition of the term "shopping" does not prevent a likelihood of confusion for Internet users.

The Complainants contend that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainants confirm they have never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use the ALDI trademark in any manner.

The disputed domain name was registered and is being used in bad faith. Given the similarity between the ALDI trademarks and the disputed domain name, Internet users accessing the website are likely to believe that its content is endorsed or otherwise authorised by the Complainants, when this is not the case.

##### **B. Respondent**

The Respondent did not reply to the Complainants' contentions.

#### **6. Discussion and Findings**

##### **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 Complainants' trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainants have 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 disputed domain name consists of the word “aldi” followed by the term “shopping”. The ALDI trademark is clearly recognizable in the disputed domain name, therefore, the addition of other terms does not prevent a finding of confusing similarity between the disputed domain name and the ALDI brand (see, in this regard, *Caterpillar Inc. v. Ryan G Foo - PPA Media Services / Domain Admin / Whois Privacy Corp.*, WIPO Case No. [D2015-1390](#) and *Equifax Inc. v. Domains by Proxy, LLC / Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2022-0698](#)).

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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainants’ 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 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 notes that the Respondent surely was well aware of the Complainants’ trademarks when the disputed domain name was registered because the Complainants’ trademark ALDI is well known around the world and the registration of a domain name that is confusingly similar to a well-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

In addition, the Respondent has also been actively using the disputed domain name to derive illegitimate commercial gain, since the Respondent has been intentionally attempting to attract Internet users, by creating a likelihood of confusion with the Complainants, to the website at the disputed domain name which is a pay-per-click parking page with grocery-related advertisement links competing with the Complainants’ services.

As indicated in *SAP SE v. Domains by Proxy, LLC / Kamal Karmakar*, WIPO Case No. [D2016-2497](#), “It is well established that where a domain name is used to generate revenue in respect of ‘click through’ traffic, and that traffic has been attracted because of the name’s association with the Complainant, such use amounts to use in bad faith [...] Revenue will be generated by such visitors clicking on the provided links and it does not matter whether that revenue accrues to the Respondents or the operator of the parking site”.

The fact that the Respondent chose not to object to the Complainants' assertions can only reinforce the Panel's view that the disputed domain name was registered and is being used in bad faith.

Thus, the Panel finds that the disputed domain name has been registered and is also being used in bad faith.

## **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 <aldi-shopping.com> be transferred to the Complainant Aldi Stores Limited.

*/Tommaso La Scala/*

**Tommaso La Scala**

Sole Panelist

Date: July 11, 2025