

## **ADMINISTRATIVE PANEL DECISION**

**Aldi GmbH & Co. KG and Aldi Stores Limited v. ugwunwa ebube, Mabhd**  
Case No. D2025-2102

### **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 ugwunwa ebube, Mabhd, Nigeria.

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

The disputed domain name <aldidealz.com> is registered with NameCheap, Inc. (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 29, 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 / Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 2, 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 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 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2025. The Respondent sent email communications to the Center on June 4, 2025 and June 27, 2025. Accordingly, the Center notified the Parties of the commencement of panel appointment process on June 27, 2025.

The Center appointed Ingrīda Kariņa-Bērziņa 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 Complainant Aldi GmbH & Co. KG (“Aldi GmbH”), a German company, is the proprietor of various registered trademarks which comprise the sign ALDI. The Complainant Aldi Stores Limited (“Aldi Stores Limited”), a United Kingdom company, is the exclusive licensee in the United Kingdom where it operates supermarkets under the ALDI mark.

Aldi GmbH is the proprietor of the numerous trademark registrations, including the following:

- United Kingdom Trademark No. UK00002250300 for ALDI (word mark), registered on March 30 ,2001 for goods and services in classes 1, 3, 5, 6, 11, 16, 21, 24, 25, 29, 30, 31, 32, 33, 34, and 35; and
- United Kingdom Trademark No. UK00902071728 for ALDI (word mark), registered on April 14, 2005 for goods in classes 3, 4, 9, 16, 24, 25 ,29, 30, 31 ,32, 33 and 34.

Aldi Stores Limited operates its primary business website at the domain name <aldi.co.uk>.

The disputed domain name was registered on December 9, 2024. At the time the Complaint was filed and at the time of this Decision, it redirected to a website displaying a large image of the Complainant’s ALDI mark above text stating, “DO YOU LOVE ALDI? Become a product reviewer”. Internet users are instructed as follows:

##### “STEPS TO QUALIFY

- Click on “APPLY NOW” to begin
- Enter your email and necessary details
- Take the product survey
- Redeem your gift card reward”

The Panel has independently visited the website, and notes that a large “APPLY NOW” button redirected Internet users to a third-party website operated by “Dropshop” purporting to offer electronic products in exchange for “tasks.”<sup>1</sup>

The record reflects only the name and address of the Respondent.

#### **5. Parties’ Contentions**

##### **A. Complainant**

##### **1. Request to Consolidate**

The Complainants request consolidation of the disputes for the following reasons. The Complainant Aldi GmbH is the proprietor of various registered trademarks which comprise the sign ALDI. The Complainant Aldi Stores Limited is the exclusive licensee in the United Kingdom of said marks. The Complainants are

---

<sup>1</sup> Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”) section 4.8

part of the same corporate group and under common control, and both Complainants have an interest in the right relied upon, and therefore a common grievance against the Respondent.

## **2. Substantive Contentions**

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, together with connected companies, they operate more than 5,000 stores around the world. Aldi Stores Limited was established in 1988. In 2025, ALDI was the most popular supermarket brand in the United Kingdom according to a YouGov BrandIndex report. The ALDI mark is represented in its entirety in the disputed domain name. The Respondent has no rights in the ALDI mark. The disputed domain name resolves to a website featuring the ALDI mark, which Internet users are likely to believe is endorsed by or otherwise authorized by the Complainants, which constitutes passing off. Additionally, the Complainants believe that the disputed domain name may have been registered so that the Respondent may offer it for sale for a price higher than the cost of registration.

## **B. Respondent**

### **1. Substantive Arguments**

The Respondent did not provide a substantive reply to the Complainants' contentions.

### **2. Request to File Late Response**

On June 4, 2025, the Respondent sent an email to the Center stating, in part "I am the Respondent named in the complaint and intend to submit a formal response before the stated deadline of June 24, 2025."

On June 27, 2025, the Respondent sent a further email to the Center, stating, in part: "I sincerely apologize for not submitting a response by the due date of June 24, 2025. I misunderstood the process and was not fully aware of the importance of the deadline and the implications of not responding in time. I kindly request your consideration to allow a late response or to provide any available options for me to still participate in the proceedings."

## **6. Discussion and Findings**

### **6.1 Procedural Issues**

Pursuant to paragraph 10 of the Rules:

- (a) The Panel shall conduct the administrative proceeding in such manner as it considers appropriate in accordance with the Policy and these Rules.
- (b) In all cases, the Panel shall ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case.

### **A. Consolidation of Multiple Complainants**

The principles to assess a request to consolidate multiple complainants are set forth in the [WIPO Overview 3.0](#), section 4.11.1.

The Panel notes that the disputed domain name reflects the ALDI mark in its entirety. The Complainants are part of the same corporate group and under common control. The Panel therefore considers that the Complainants have a specific common grievance against the Respondent and the Respondent has engaged

in common conduct that has affected the Complainants in a similar fashion. Under the circumstances, the Panel finds it would be equitable and procedurally efficient to permit the consolidation.

The Respondent does not challenge the Complainants' assertions nor offer any alternative explanation for these circumstances. Accordingly, the Panel accepts the Complainants' request to consolidate the disputes pursuant to the Rules, paragraph 10(e). The Complainants are hereinafter referred to as "Complainant".

## **B. Request to Provide a Late Response**

In its June 27, 2025 email to the Center, the Respondent requests the Panel to provide additional time to submit a Response.

The principles to assess such a request are set forth in the [WIPO Overview 3.0](#), section 4.6.

Paragraph 10 of the Rules vests the panel with the authority to determine the admissibility, relevance, materiality and weight of the evidence, and also to conduct the proceedings with due expedition.

Paragraph 12 of the Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case.

The Panel notes that the Respondent had, in its email dated June 4, 2025, acknowledged receipt of the Complaint and expressly stated its intention to submit a formal Response by the June 24, 2025 deadline.

The Panel notes that the record reflects that the Respondent was properly provided notice of the proceedings by the Center. The Respondent does not provide any information about any circumstances, exceptional or otherwise, that prevented the Respondent from providing a Response by the stated deadline.

Under these circumstances, where the Respondent has earlier acknowledged awareness of the deadline and stated its intent to comply with it, the Panel does not find the Respondent's later statement that it lacked such awareness persuasive.

Accordingly, the Panel denies the Respondent's request to submit a late Response.

## **6.2 Substantive Issues**

Paragraph 4(a) of the UDRP requires the Complainant to make out all three of the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the Respondent has registered and is using the disputed domain name in bad faith.

Under paragraph 15(a) of the Rules, "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

### **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 ALDI 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, “dealz”) may bear on assessment of the second and third elements, the Panel finds the addition of such a 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 notes the composition of the disputed domain name, comprising the ALDI mark together with the descriptive term “dealz” which, in the Panel’s view, implies a connection with “deals” offered by the Complainant. The Panel finds that the nature of the disputed domain name, coupled with its use, carries a risk of implied affiliation to the Complainant that cannot constitute fair use. [WIPO Overview 3.0](#), section 2.5.1.

The Respondent has not proved rights or legitimate interests. There is no evidence that the Respondent is commonly known by the disputed domain name. The disputed domain name redirected to a website prominently featuring the Complainant’s mark and inviting Internet users to go through the “recommended deals” and redeem a “gift card reward”, while featuring a link to a third-party website. Under these circumstances, such use cannot establish rights or legitimate interests. See [WIPO Overview 3.0](#), sections 2.5.2 and 2.5.3.

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 finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark. The

Complainant's rights in its ALDI mark predate the registration of the disputed domain name by more than 20 years. The disputed domain name contains the Complainant's well-established ALDI trademark followed by the term "dealz", implying a connection to "deals" offered by the Complainant, a major retailer. Together with the use to which the disputed domain name has been put, the composition of the disputed domain name implies an intention to benefit from the reputation of the Complainant's mark.

The disputed domain name redirects Internet users to a website prominently featuring the Complainant's mark and purporting to invite Internet users to review ALDI products, including a link which redirects to another third-party website.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <aldidealz.com> be transferred to the Complainants.

*/Ingrīda Kariņa-Bērziņa/*  
**Ingrīda Kariņa-Bērziņa**  
Sole Panelist  
Date: July 11, 2025