

ADMINISTRATIVE PANEL DECISION

Norma Lebensmittelfilialbetrieb Stiftung & Co. KG v. Anastasios Anastasiadis,
Principote

Case No. D2025-2486

1. The Parties

The Complainant is Norma Lebensmittelfilialbetrieb Stiftung & Co. KG, Germany, represented by Betten & Resch Patent- und Rechtsanwälte PartGmbB, Germany.

The Respondent is Anastasios Anastasiadis, Principote, Greece.

2. The Domain Name and Registrar

The disputed domain name <norma.app> (the “Disputed Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 24, 2025. On June 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 25, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Disputed Domain Name which partially differed from the named Respondent (Anastasios Anastasiadis, Norma Technologies) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 25, 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 June 26, 2025.

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 July 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 21, 2025. The Respondent did not submit any Response. Accordingly, the Center notified the Respondent's default on July 28, 2025.

The Center appointed Nick J. Gardner as the sole panelist in this matter on July 31, 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 is a German company. It was established more than fifty years ago. It operates a chain of discount supermarkets. It currently has around 1,450 retail stores in Germany, France, Austria, and the Czech Republic. In terms of sales, the Complainant was ranked in eleventh place among the thirty largest German food retailers in 2023.

The Complainant is the proprietor of three European Union (“EU”) word marks which comprise or include the term “norma” namely (1) trademark no. 013534854 “NORMA”, registered on October 13, 2016; (2) trademark no. 017975784 “NORMA CONNECT”, registered on May 14, 2019; and (3) trademark no. 018679571 “NORMA +”, registered on October 29, 2022. The first of these is referred to as the NORMA trademark in this Decision.

The Disputed Domain Name was registered on May 7, 2021. It resolves to a website (the “Respondent’s Website”) which is branded “Norma” and which promotes an “AI Powered Analytics” system. The business is described as follows “Bringing Your Data to Life. Founded in 2022, Norma’s mission is to empower organizations worldwide to awaken the full potential of their data. By offering cutting-edge Cloud Warehousing and Modern AI-powered Analytics solutions, Norma becomes your trusted internal BI partner, guiding your growth and success in a data-driven world”.

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.

The Complainant’s contentions can be summarized as follows.

The Disputed Domain Name is identical to the NORMA Trademark.

The Respondent has no rights or legitimate interests in the Disputed Domain Name consisting of term “norma”.

The Complainant alleges the Respondent’s activities infringe the NORMA trademark. It says for example that EU mark no. 013534854 is, inter alia, registered and used for goods in class 9, namely “Computer software, computer programs (including operating systems) recorded on data carriers, and program systems, databases and program libraries mainly consisting thereof, games programs for computers” as well as for services in class 35, namely “organisational and professional business consultancy; Retailing and online retailing in the field of: computer accessories and software”¹.

In consequence the Complainant alleges that the Disputed Domain Name was registered and is being used in bad faith. The Complainant says by registering the Disputed Domain Name <norma.app>, the Respondent intentionally attempted and still attempts to profit from the Complainant’s reputation to attract for commercial gain, Internet users to the Respondent’s website, by creating a likelihood of confusion with the Complainant’s marks as to the source, sponsorship, affiliation, and/or endorsement of the Respondent’s

¹ These quotations are accurate extracts from the trademark certificate. The entire list of goods and services covered by the trademark runs to 4 pages long and covers 37 different categories of goods or services

website and the products and services on the Respondent's website. The Respondent therefore registered the Disputed Domain Name <norma.app> in bad faith.

B. Respondent

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

6. Discussion and Findings

Preliminary Matters

The Panel notes that no communication has been received from the Respondent. However, given the Complaint and Written Notice were sent to the relevant addresses disclosed by the Registrar and successfully delivered to the Respondent's email address, then the Panel considers that this satisfies the requirement in paragraph 2(a) of the Rules to "employ reasonably available means calculated to achieve actual notice". Accordingly, the Panel considers it is able to proceed to determine this Complaint and to draw inferences from the Respondent's failure to file any Response. While the Respondent's failure to file a Response does not automatically result in a decision in favor of the Complainant, the Panel may draw appropriate inferences from the Respondent's default (see, e.g., *Verner Panton Design v. Fontana di Luce Corp.*, WIPO Case No. [D2012-1909](#)).

Substantive Matters

In order to succeed in respect of each Disputed Domain Name, the Complainant is required to show for the Disputed Domain Name in question that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are:

- (i) that the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and,
- (iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has established that it is the owner of the NORMA trademark. The Disputed Domain Name is identical to the NORMA trademark. It is well established that the Top-Level Domain ("TLD"), in this case ".app", is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") at section 1.11. Accordingly, the Panel finds that the Disputed Domain Name is identical to the Complainant's trademark and hence the first condition of paragraph 4(a) of the Policy has been fulfilled.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances any of which is sufficient to demonstrate that a respondent has rights or legitimate interests in a domain name:

- (i) before any notice to the respondent of the dispute, the respondent's 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) the respondent has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or

(iii) the respondent is 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

The Respondent's Website indicates that the Respondent has been carrying out its business since 2022. The Complainant has not suggested the Respondent's Website is pretextual or inaccurate. The Complaint expressly states "The Respondent offers software solutions for European businesses on the website accessible at the domain "norma.app", in particular cloud warehousing and AI-powered analytics solutions. In addition, users can book a consultation appointment via video call on the website". In the circumstances the Panel considers it is more likely than not that before any notice to the Respondent of the dispute, the Respondent has used the Disputed Domain Name in connection with a bona fide offering of goods or services.

In light of the above, the Panel finds that the Complainant has failed to establish that the Respondent has no rights or legitimate interests in the Disputed Domain Name and the second condition of paragraph 4(a) of the Policy has not been fulfilled.

C. Registered and Used in Bad Faith

Under paragraph 4(b) of the Policy a non-exhaustive list of factors evidencing registration and use in bad faith comprises:

- (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 web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

The Complainant says that (iv) applies. The Complaint states "By registering the contested domain "norma.app", the Respondent intentionally attempted and still attempts to profit from the Complainant's reputation to attract for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation, and/or endorsement of the Respondent's web site and the products and services on the Respondent's web site. The Respondent therefore registered the domain 'norma.app' in bad faith".

The Panel does not understand the basis upon which this allegation is made. The Panel find it difficult to conceive any obvious reason why a company offering some form of sophisticated AI software product would be interested in attracting consumers who were in fact actual or potential customers of a German discount supermarket chain. In the unlikely event of actual or potential customers of the Complainant arriving at the Respondent's Website the Panel cannot see that they would be likely to do business with the Respondent. They would simply realise they were at the wrong website. It does not seem to the Panel that the Respondent will derive any commercial benefit out of any such confusion even if it did occur (which seems to the Panel unlikely).

The Complaint does say that "[...] the Complainant also develops its own software solutions and applications, as evidenced by the links to its own websites mentioned above under A.I., and also provides

consultancy services to other companies in this context". The Complainant's websites are in German but would appear to indicate the Complainant may offer some mobile telephone services to consumers and also provides an app which appears to facilitate customers finding and ordering goods from the Complainant. They do not so far as the Panel can tell suggest that the Complainant offers AI-related software services to customers.

There is also no evidence that the Complainant has any fame or reputation in Greece where the Respondent appears to be based. There is no reason to suppose that the Respondent should have known of the Complainant. The Panel does not know who owns the domain name <norma.com> but it does not appear to resolve to an active website. It appears the Complainant uses <norma-online.de> as its principal domain name. The Panel thinks it much more likely that the Respondent's choice of "norma" to form the Disputed Domain Name is simply coincidental and unrelated to the Complainant. It may or may not be the case that the Respondent's activities infringe the Complainant's NORMA trademark (as alleged by the Complainant), but that is not a matter for a complaint under the Policy but would need to be determined by an appropriate court.

Accordingly, the Panel concludes the Complainant has failed to discharge its burden of proof and has failed to establish that the third condition of paragraph 4(a) of the Policy has been fulfilled.

7. Reverse Domain Name Hijacking

Several circumstances of this case have led the Panel to consider whether the filing of the Complaint constitutes "using the Policy in bad faith to attempt to deprive a registered domain-name holder of a domain name" – see the Rules, paragraph 1, definition of Reverse Domain Name Hijacking ("RDNH"). Paragraph 15(e) of the Rules provides that if after considering the submissions the Panel finds that the complaint was brought in bad faith, for example in an attempt at RDNH, or was brought primarily to harass the domain name holder, the Panel shall declare in its decision that the complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The Rules, paragraph 15(e), call for this analysis even when the Respondent has not expressly requested a finding of abuse – see *Timbermate Products Pty Ltd v. Domains by Proxy, LLC / Barry Gork*, WIPO Case No. [D2013-1603](#).

In the view of the Panel the present case is misconceived. It takes no account of the fact that it is difficult to conceive any obvious reason that a company which is providing some form of AI software product would have any interest in, or motive for, attracting customers of a German discount supermarket. Absent any evidence of some form of targeting there was nothing in the case file to suggest that the Respondent's registration of the Disputed Domain Names had anything to do with the Complainant.

The Panel has however concluded that a finding of RDNH is not necessary. It appears that the Respondent has not been severely inconvenienced or put to any expense dealing with this Complaint and the Panel has the impression that the Complaint's shortcomings arise because of a failure to appreciate what needed to be shown to succeed under the Policy, rather than any deliberate attempt to proceed in bad faith.

8. Decision

For the foregoing reasons, the Complaint is denied.

/Nick J. Gardner/

Nick J. Gardner

Sole Panelist

Date: August 12, 2025