

ADMINISTRATIVE PANEL DECISION

Koninklijke Douwe Egberts B.V. v. 吴清儒 (wu qing ru)
Case No. D2025-2929

1. The Parties

The Complainant is Koninklijke Douwe Egberts B.V., Netherlands (Kingdom of the) (“the Netherlands”), represented by Ploum, the Netherlands.

The Respondent is 吴清儒 (wu qing ru), China.

2. The Domain Name and Registrar

The disputed domain name <lorespresso.info> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on July 23, 2025. On July 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 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 July 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 in English on July 26, 2025.

On July 25, 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 July 26, 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 in Chinese and English of the Complaint, and the proceedings commenced on July 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 24, 2025.

The Center appointed Rachel Tan as the sole panelist in this matter on August 27, 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 part of Jacobs Douwe Egberts ("JDE"), which itself is part of JDE Peet's, one of the largest pure play coffee and tea companies in the world. The JDE group sells its coffee and tea products in over 100 countries worldwide, including without limitation, L'OR which is a premium brand for coffee. The trade mark L'OR has been used by the Complainant continuously and extensively worldwide since as early as 1991.

The Complainant is the owner of its L'OR and L'OR ESPRESSO trade marks worldwide, including International Trade Mark Registration No. 1055730 for L'OR ESPRESSO registered on August 27, 2010 in Class 30, designating inter alia, China; Chinese Trade Mark Registration No. 15074340 for L'OR registered on September 21, 2015 in Class 30 and Chinese Trade Mark Registration No. 48046087 for  registered on January 21, 2022 in Class 11.

In addition, the Complainant is the registrant of various domain names incorporating its L'OR and L'OR ESPRESSO trade marks, such as <lorespresso.com>, <lorespresso.nl> and <lorespresso.co.uk>.

The disputed domain name was registered on December 30, 2024. At the time of the Complaint and this Decision, the disputed domain name is configured to redirect to the GoDaddy website, where it is offered for sale. Based on the undisputed evidence submitted by the Complainant, the selling price is USD 950.

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.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the complainant's L'OR ESPRESSO and L'OR trade marks. The Complainant's L'OR ESPRESSO and L'OR trade marks are incorporated in the disputed domain name in its entirety. The generic Top-Level Domain ("gTLD"), i.e. ".info" is not to be taken into consideration when examining the identity or similarity.

The Complainant further alleges that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not affiliated with the Complainant in any way and has not been authorised by the Complainant to use and register its L'OR or L'OR ESPRESSO mark or to seek registration of any domain name incorporating this mark. The Respondent is not commonly known by the name "L'OR Espresso". The fact that the disputed domain name is offered for sale also demonstrates that the Respondent has no intention of developing a legitimate activity through the disputed domain name and that the Respondent registered the disputed domain name for the sole purpose of taking unfair advantage of the Complainant's reputation and disrupting its business.

Finally, the Complainant argues that the disputed domain name was registered and is being used in bad faith. The Complainant claims that their L'OR and L'OR ESPRESSO trade marks are well-known. At the time of registering the disputed domain name, the Respondent knew or should have known of the

Complainant's mark. The registration of the disputed domain name which is almost identical to the Complainant's L'OR and L'OR ESPRESSO mark is itself a bad faith. Finally, the disputed domain name is being offered for sale and thus the Respondent is using the disputed domain name to gain commercial benefit from such activities.

B. Respondent

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

6. Discussion and Findings

6.1 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 (i) the disputed domain name consists solely of Latin characters; (ii) the Complainant is based in the Netherlands and does not have any knowledge of Chinese and (iii) the Complainant would incur substantial expenses for translating all documents into Chinese.

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 Selected UDRP Questions, Third Edition ("[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.

6.2 Substantive Issues

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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Complainant's L'OR and L'OR ESPRESSO trade marks, albeit without the apostrophe, are reproduced within the disputed domain name in their entirety. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Lastly, it is permissible for the Panel to disregard the applicable TLD in the disputed domain name, i.e. ".info". It is accepted by UDRP panels that the practice of disregarding the TLD in determining identity or confusing similarity is applied irrespective of the particular TLD (including with regard to "new gTLDs") and the ordinary meaning ascribed to a particular TLD would not necessarily impact assessment to the first element. [WIPO Overview 3.0](#), sections 1.11.1 and 1.11.2. See also *TASER International, Inc. v. Domains by Proxy, LLC / Richard Carmona, TASER International, Ltd. / Domain Proxy*, WIPO Case No. [D2015-0334](#).

Based on the available record, 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 Respondent has not provided evidence of a legitimate or noncommercial use of the disputed domain name or reasons to justify the choice of the disputed domain name that is almost identical to the Complainant’s L’OR ESPRESSO mark. There is also no indication to show that the Respondent is commonly known by the disputed domain name or otherwise has rights or legitimate interests in it. Moreover, the Complainant has not granted the Respondent any license or authorization to use the Complainant’s L’OR ESPRESSO mark or register the disputed domain name. Finally, the Panel notes that the Respondent is offering the disputed domain name for sale.

None of the circumstances in paragraph 4(c) of the Policy are present in this case. For these reasons, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

Based on the available record, 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 Complainant’s L’OR and L’OR ESPRESSO marks have been registered worldwide. The disputed domain name was registered long after the registration of the Complainant’s marks. Through extensive use and advertising, the Complainant’s L’OR and L’OR ESPRESSO marks are well known throughout the world. Search results using the key words “l’or” and “l’or espresso” on English and Chinese Internet search engines direct Internet users to the Complainant and its business, which indicates that exclusive connections between the marks and the Complainant have been established. In addition, the disputed domain name is almost identical to the Complainant’s own domain name <lorespresso.com> except for the TLD. As such, the Respondent should have known of the Complainant’s L’OR and L’OR ESPRESSO marks when registering or acquiring the disputed domain name and has exercised “the kind of willful blindness that numerous panels have held support a finding of bad faith”. See *Barclays Bank PLC v. Andrew Barnes*, WIPO Case No. [D2011-0874](#).

Furthermore, the Panel considers the mere registration of a domain name that is confusingly similar to a well-known trade mark by an unaffiliated person can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4. In this case, the disputed domain name is confusingly similar to the widely known L'OR and L'OR ESPRESSO marks and was registered by the Respondent who has no relationship with the Complainant, which means that a presumption of bad faith can be created.

The Panel notes that the disputed domain name was offered for sale for USD 950, which is likely in excess of the normal costs for registering and maintaining a domain name. The Respondent's act does not align with a bona fide intention to register and use the disputed domain name. The absence of circumstances indicating that the Respondent has rights or legitimate interests in the disputed domain name leads the Panel to conclude that the Respondent's intent in registering the disputed domain name was in fact to profit in some fashion from or otherwise exploit the Complainant's trade mark. In this case, the Panel finds the sale of the disputed domain name as evidence of bad faith registration and use. [WIPO Overview 3.0](#), section 3.1.1.

The Respondent has kept silent in the face of the Complainant's allegations of bad faith. Taking into account these circumstances, the Panel finds that the Respondent must have known of the Complainant before registering or acquiring the disputed domain name and, considering the Respondent's lack of rights or legitimate interests, and by registering and using the disputed domain name as discussed above, the Panel is led to conclude that the disputed domain name was registered and is being used in bad faith.

Based on the available record, 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 <lorespresso.info> be transferred to the Complainant.

/Rachel Tan/

Rachel Tan

Sole Panelist

Date: September 4, 2025