

## **ADMINISTRATIVE PANEL DECISION**

Barilla G. e R. Fratelli S.p.A. v. Registration Private  
Case No. D2025-3360

### **1. The Parties**

The Complainant is Barilla G. e R. Fratelli S.p.A., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondent is Registration Private, United States of America.

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

The disputed domain names <albronzobarilla.com> and <barillabasilbar.com> are registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 21, 2025. On August 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 22, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 26, 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 August 27, 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 August 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 23, 2025.

The Center appointed Miguel B. O'Farrell as the sole panelist in this matter on September 29, 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, Barilla G. e R. Fratelli S.p.A., is one of the leaders in the field of oven-baked products, pasta and ready-made sauces and is the owner of the well-known trademark BARILLA amongst others.

The Complainant's history goes back to 1877, when Barilla was established in Parma by the founder Pietro Barilla, who opened a small shop selling bread and pasta with an adjoining bakery inside the house of the local baker Isidoro Cobianchi. In 1910, the sons Gualtiero and Riccardo took the reins of the company, and it was under their management that progress towards industrial production was made, with the construction of a bread and pasta factory.

At present, the Complainant operates in 28 countries directly, exports its products to over 100 countries and owns 30 production sites across 11 countries.

Nowadays, the Complainant ranks as one of the top Italian food groups, leader in the global pasta business. It employs over 9,000 people and in 2023 had a turnover of EUR 4.869 million. Foreign sales currently account for approximately 62% of the Complainant's total turnover.

The Complainant is the owner of a number of national and international trademark registrations worldwide for BARILLA, including the following:

- International Trademark Registration No. 349555 for BARILLA (figurative), registered on September 26, 1968, in classes 5 and 30;
- International Trademark Registration No. 675652 for BARILLA (word mark), registered on June 20, 1997, in classes 29 and 30; and
- United States of America Trademark Registration No. 2005752 for BARILLA (word mark), registered on October 8, 1996, in class 30.

The Complainant also owns the following trademark registrations<sup>1</sup>:

- European Union Trademark No. 019173426 for AL BRONZO BARILLA (word mark), filed on April 15, 2025, and registered on September 18, 2025, in class 30; and
- European Union Trademark No. 019177861 for BARILLA BASIL BAR (word mark), filed on April 24, 2025, and registered on September 26, 2025, in classes 29, 30, 41 and 43.

The Complainant registered many domain names including the mark BARILLA in multiple generic Top-Level Domains ("gTLDs") and country-code Top-Level Domains ("ccTLDs"), including the domain name <barilla.com>, registered on December 15, 1995, and <barillagroup.com>, registered on August 2, 2002.

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<sup>1</sup> At the time of filing of the Complaint, the Panel notes that these trademarks were pending for registration. At the time of this Decision, the Panel visited the website at European Union Intellectual Property Office and found these trademarks matured to registrations. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.8.

The Complainant operates the website “www.barilla.com” as its primary web portal for global promotion of the BARILLA brand and products, whilst the website dedicated to the BARILLA Group and all the related brands is published at “www.barillagroup.com”.

The disputed domain names are <albronzobarilla.com>, registered on April 15, 2025 and <barillabasilbar.com>, registered on April 24, 2025. Both disputed domain names resolve to webpages indicating that they are available for purchase.

In the absence of any positive replies from the Respondent to the Complainant’s cease and desist letters, the Complainant initiated the present proceedings requesting the transfer of both disputed domain names to the Complainant.

## 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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the Complainant’s trademark.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Respondent has not provided any evidence of use of, or demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services before or after any notice of the dispute herein.

Moreover, there is no evidence that the Respondent might have used the disputed domain names in connection with a legitimate noncommercial or fair use, without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant’s trademark. The disputed domain names have been redirected to webpages where they have been offered for sale for different amounts, all exceeding the out-of-pocket costs directly related to the disputed domain names.

Moreover, considering the disputed domain names incorporate the registered and well-known trademark BARILLA and exactly correspond to the trademarks used by the Complainant to identify a specific line of products and the names of which have also been subject of *ad hoc* trademark applications, they carry a high risk of implied affiliation with the Complainant.

In many UDRP cases the well-known character of the Complainant’s trademark has been acknowledged, see *Barilla G. e R. Fratelli S.p.A. v. Super Privacy Service LTD c/o Dynadot / mesut Erdogan*, WIPO Case No. [D2025-1494](#) (recognizing that the Complainant’s BARILLA mark is “widely-known worldwide”), *Barilla G. e R. Fratelli S.p.A. v. Super Privacy Service LTD c/o Dynadot / Ali Aslan*, WIPO Case No. [D2021-3054](#) (recognizing that the Complainant’s BARILLA mark is “very famous all over the world”), *Barilla G. e R. Fratelli S.p.A. v. Michael Nava, Brand Boogie LLC*, WIPO Case No. [DIO2023-0039](#) (stating that the BARILLA mark is well known), and *Barilla G. e R. Fratelli S.p.A. v. Sahand Consulting Inc.*, WIPO Case No. [D2012-2450](#) (where the Panel held that BARILLA is “a globally-famous brand of pasta and pasta sauce” and that “Because of the fame of the Complainant’s brands extending for over a century and the Complainant’s worldwide marketing and advertising, the Respondent should have known of the Complainant’s trademarks at the time of registration of the disputed domain name”).

In view of the above, the Respondent could not ignore the existence of the Complainant’s well-known trademark BARILLA when it registered the disputed domain names <albronzobarilla.com> on April 15, 2025, and <barillabasilbar.com> on April 24, 2025.

The Respondent registered the disputed domain names with the purpose of selling them to the Complainant for amounts in excess of their registration costs.

Thus, it is clear that the disputed domain names were registered and are being used in bad faith according to paragraph 4(a)(iii) of the Policy, and the Panel is requested to order their transfer to the Complainant.

## **B. Respondent**

The Respondent did not reply to the Complainant's 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 Complainant's trademark and the disputed domain names. [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 Panel finds the BARILLA mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel also finds the AL BRONZO BARILLA and BARILLA BASIL BAR marks are fully incorporated in the disputed domain names. Accordingly, the disputed domain names are identical to these marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 names. 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 names such as those enumerated in the Policy or otherwise.

Furthermore, the nature of the disputed domain names, which are identical to the Complainant's AL BRONZO BARILLA and BARILLA BASIL BAR marks, carries a high risk of implied affiliation as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.0](#), Section 2.5.1.

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.

The Panel is satisfied that the Respondent must have been aware of the Complainant's trademark BARILLA mentioned in section 4 above (Factual Background) when it registered the disputed domain names <albronzobarilla.com> on April 15, 2025 and <barillabasilbar.com> on April 24, 2025 respectively. By that time, the Complainant had registered and extensively used the trademark BARILLA in many jurisdictions. The Panel's finding has been reinforced by the fact that the disputed domain names <albronzobarilla.com> and <barillabasilbar.com> were registered on the same date that the Complainant filed its two European Union trademark applications for AL BRONZO BARILLA and BARILLA BASIL BAR respectively.

The Panel also finds that by registering the disputed domain names and offering them for sale at various prices (according to the evidence provided by the Complaint, for example, on June 5, 2025, the disputed domain name <albronzobarilla.com> was offered for sale for EUR 2,616.85, and on June 10, 2025, the disputed domain name <barillabasilbar.com> was offered for sale for EUR 2,616.35), the Respondent has targeted the Complainant and its business with the intention to capitalize on the fame of the Complainant's trademarks for its own benefit.

Further, the fact that there is a clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain names and the nature of the disputed domain names, are indicative of bad faith (as stated in Section 3.2.1 of the [WIPO Overview 3.0](#)).

Therefore, the Respondent has registered and used the disputed domain names in bad faith.

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 names <albronzobarilla.com> and <barillabasilbar.com> be transferred to the Complainant.

*/Miguel B. O'Farrell/*

**Miguel B. O'Farrell**

Sole Panelist

Date: October 8, 2025