

## **ADMINISTRATIVE PANEL DECISION**

Luigi Lavazza S.p.A. v. wang ying bao  
Case No. D2025-3407

### **1. The Parties**

The Complainant is Luigi Lavazza S.p.A., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondent is wang ying bao, China.

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

The disputed domain name <lavazzacafe.net> is registered with Dominet (HK) Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 25, 2025. On August 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 26, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 18, 2025.

The Center appointed Stefan Abel as the sole panelist in this matter on September 24, 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 an Italian company manufacturing and marketing a broad range of coffee products including coffee machines. The Complainant has a history of over 130 years and operates today in over 140 countries employing several thousand employees worldwide achieving revenues of over EUR three billion in 2024.

In particular, the Complainant is active in the Chinese market as well. It has opened its first flagship store in Shanghai in 2020 and aimed, according to a press release published by the Complainant in 2021, at opening 1,000 shops in China by 2025.

The Complainant has a long history of large-scale advertising campaigns, too, at international level, including in China. The Complainant's marketing activities are supported by more than 600 domain names, too, containing its trademark LAVAZZA, including <lavazza.com>, which has been registered in 1996, already.

Accordingly, the Complainant owns numerous international trademarks for coffee, coffee blends, coffee capsules, other coffee products and coffee machines, including international trademark registration no. 317174 for LAVAZZA (word mark) registered on July 18, 1966, European Union trademark registration no. 317057 for LAVAZZA (word mark) registered on May 25, 1998, International trademark registration no. 1299219 for LAVAZZA (figurative mark) registered on February 23, 2016, designating, in particular, China and Chinese trademark registration no. 5853488 for LAVAZZA registered on November 21, 2009.

According to the Registrar's verification disclosed to the Center, the registered owner of the disputed domain name is wang ying bao, who appears to be an individual located in China.

The disputed domain name was registered by the Respondent on November 30, 2024. It is inactive.

The language of the registration agreement is English.

#### **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 registered by the Respondent is confusingly similar to the LAVAZZA trademarks in which the Complainant has rights. The addition of the generic term "cafe" would not prevent the finding of confusing similarity as the Complainant's trademark is recognizable within the disputed domain names. Rather, the generic term "cafe" increases the risk of confusion as it is associated with the Complainant's services and products.

According to the Complainant, the Respondent has no rights or legitimate interests in the disputed domain name or otherwise been authorized by the Complainant. The Respondent is not commonly known by a name corresponding to the domain name. The Respondent's name differs from the disputed domain name and the Respondent does not own any trademark registrations for LAVAZZA according to a search conducted by the Complainant. Further, the Complainant's trademark LAVAZZA has no meaning in foreign languages and corresponds to the surname of its founder and family.

The Complainant finally contends that the disputed domain name was registered and is being used in bad faith as the Respondent, in light of the distinctiveness and reputation of the Complainant's trademark, obviously registered the disputed domain name with full knowledge of the Complainant and its trademarks, for the purpose of taking commercial advantage of the Complainant's trademarks. As established in a number of prior cases the concept of bad faith use includes not only positive action but also passive holding.

The Complainant further points out that the Respondent provided incomplete and inaccurate contact details in the public Whois records as the registrant's street is missing. The address "lianyungangshi" might correspond to the city of Lianyungang, but no additional information has been provided to identify the Respondent's exact location. Given the confusing similarity of the disputed domain name with the Complainant's well-known trademark, the Respondent's lack of any rights or legitimate interests in the disputed domain name, the Respondent's concealing its full contact details in the public Whois records, and the implausibility of any good faith use, the bad faith registration and use cannot be denied in the Complainant's view.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

The Panel finds that the disputed domain name <lavazzacafe.net> is confusingly similar to the Complainant's trademark LAVAZZA and that paragraph 4(a)(i) of the Policy is satisfied. The disputed domain name consists of this distinctive trademark in combination with the term "cafe". The additional term "cafe" does not prevent the confusing similarity between the disputed domain name and the LAVAZZA-mark owned by the Complainant. In this case, the addition of this descriptive term of the products designated by the trademark supports the Panel's findings under the third element as it adds to the risk of confusion that Internet users would associate the disputed domain name with the Complainant, as discussed in more detail below.

Similarly, the generic Top-Level Domain (gTLD) ".net" does not affect the finding of confusing similarity as it is viewed as a standard registration requirement.

### **B. Rights or Legitimate Interests**

There is no indication that the Respondent is licensed or otherwise authorized by the Complainant to use its registered trademark or to register the disputed domain name.

The element "lavazza" of the disputed domain name does not have any apparent generic or descriptive meaning and the term "lavazza" is not used as a designation for a person or a company other than the Complainant or for services or products provided by the Complainant.

The Panel therefore finds that the Complainant has met the element of paragraph 4(a)(ii) of the Policy. The Complainant has successfully made out a prima facie case. The burden of production of evidence under this element therefore shifts to the Respondent to come forward with appropriate allegations and evidence demonstrating rights or legitimate interests in the disputed domain name. See, e.g., *Accor v. Eren Atesmen*, WIPO Case No. [D2009-0701](#). The Respondent has failed to do so. Passive holding of a domain name per se does not constitute legitimate commercial or fair use (*Lennar Pacific Properties Management, Inc., Lennar Corporation v. Badboi ot*, WIPO Case No. [D2020-1419](#)).

### **C. Registered and Used in Bad Faith**

The Panel finds that the elements of paragraph 4(a)(iii) of the Policy are met. The Respondent's motivation to register the disputed domain name is not obvious. The Respondent has not actively used the disputed domain name, which resolves to a website without any content, and the Respondent has not made any allegations. The examples in paragraph 4(b) of the Policy are not met. However, their character is non-exhaustive in accordance with previous UDRP panels that have found bad faith registration and use in cases in which the Respondent has remained passive, e.g., no active use of the disputed domain name, no attempt to sell or contact the trademark holder, such as *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO

Case No. [D2000-0003](#); *Intel Corporation v. The Pentium Group*, WIPO Case No. [D2009-0273](#). The Panel finds that the disputed domain name has been registered and is being used in bad faith given the following cumulation of circumstances:

The Complainant's trademark LAVAZZA is well-known around the globe and has been extensively used and advertised around the globe, including in particular, in China, where the Respondent is located, several years already before registration of the disputed domain name.

The Complainant's trademark does not have any apparent descriptive or generic meaning in English nor in the languages spoken in China, where the Respondent is located, as it is written in Latin characters. It apparently serves only to designate the Complainant's business, all the more as it is combined in the disputed domain name with the (English) term "cafe", which refers to the Complainant's business and products.

It is therefore not conceivable to the Panel that the Respondent could have registered the disputed domain name without having the Complainant and its trademark in mind. The Respondent's intention to have the disputed domain name as a reference to the Complainant and its products is obvious to the Panel considering no rights or legitimate interests in using the disputed domain name are apparent. Any good faith use to which the disputed domain name may be put is implausible.

Furthermore, the Respondent has provided false or incomplete contact details when registering the disputed domain name (the courier service was not able to deliver the Center's Written Notice due to bad address), which further indicates bad faith. Therefore, the non-use of the disputed domain name does not prevent a finding of bad faith.

The Panel therefore finds bad faith registration and use with respect to the disputed domain name.

## 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 <lavazzacafe.net> be transferred to the Complainant.

*/Stefan Abel/*

**Stefan Abel**

Sole Panelist

Date: October 28, 2025