

## **ADMINISTRATIVE PANEL DECISION**

Tetra Laval Holdings & Finance S.A. v. Iuis Graef  
Case No. D2025-4202

### **1. The Parties**

The Complainant is Tetra Laval Holdings & Finance S.A., Switzerland, represented by Aera A/S, Denmark.

The Respondent is Iuis Graef, United States of America ("US").

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

The disputed domain name <tetrepak.net> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 13, 2025. On October 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 15, 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 (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 October 15, 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 October 20, 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 October 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 17, 2025.

The Center appointed Brigitte Joppich as the sole panelist in this matter on November 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 a Swiss corporation and part of the Tetra Laval Group. The Tetra Laval Group also includes the Tetra Pak Group, a multinational food processing and packaging company founded in 1947. It develops, markets and sells equipment for processing, packaging and distributing food products. Tetra Pak is one of the world leaders in the development, production and sale of equipment and processing plants for the production, packaging and distribution of food and accessories. It employs more than 25,000 people and operates in over 160 countries worldwide.

The Complainant is registered owner of numerous trademarks for TETRA PAK, inter alia US trademark registration no. 586,480, which was registered on March 9, 1954, and enjoys protection for goods in class 16 (the "TETRA PAK Mark"). Previous UDRP panels have held that the TETRA PAK Mark has worldwide reputation and is well known (see *Tetra Laval Holdings & Finance S.A. v. Vahid Moghaddami*, AzarNet.Co, WIPO Case No. [D2010-0268](#); *Tetra Laval Holdings & Finance S.A. v. TetraPak Global PH-AU*, Gerald Smith, WIPO Case No. [D2012-0847](#); *Tetra Laval Holdings & Finance S.A. v. Yang Yi*, WIPO Case No. [D2014-1963](#); *Tetra Laval Holdings & Finance S.A. v. John Koontz*, WIPO Case No. [D2016-1852](#); and *Tetra Laval Holdings & Finance S.A. v. Privacy Hero Inc / Pat Honeysalt, Honey Salt Ltd.*, WIPO Case No. [D2020-3398](#)).

Furthermore, the Complainant claims it is the owner of more than 300 domain name registrations throughout the world containing the TETRA PAK Mark, distributed among generic Top-Level Domains and country-code Top-Level Domains.

The disputed domain name was registered on September 29, 2025, and was used to send at least one email to a third party, requesting payment in the name of one of the Complainant's associated companies, Tetra Pak SA (Pty) Ltd. The Respondent also used the Complainant's domain name, <tetrapak.com>, in the email signature.

#### 5. Parties' Contentions

##### A. Complainant

With regard to the three elements specified in the Policy, paragraph 4(a), the Complainant contends that each of the three conditions is met in the present case.

(i) The disputed domain name is confusingly similar to the TETRA PAK Mark as it is a deliberate and barely noticeable misspelling of the well-known trademark and trade name. This constitutes typosquatting.

(ii) The Complainant states that the Respondent has no rights or legitimate interests in the disputed domain name. It contends that the Respondent is not affiliated with or related to the Complainant in any way, nor licensed or otherwise authorized to use the TETRA PAK Mark in connection with a website or for any other purpose. It further states that the Respondent is not using the disputed domain name in connection with any bona fide offering of goods or services, that is it not generally known by the disputed domain name, and that it has not acquired any trademark or service mark rights in that name or mark.

(iii) Finally, the Complainant contends that the Respondent registered and is using the disputed domain name in bad faith. It argues that it is apparent from the composition of the disputed domain name and the Respondent's use that the Respondent must have known of the TETRA PAK Mark and registered the

disputed domain name in bad faith with the intention of exploiting the goodwill and the reputation of the TETRA PAK Mark. Regarding bad faith use, the Complainant argues that the Respondent is seeking to create an impression of association with the Complainant by using the TETRA PAK Mark without any permission for the purpose of impersonating employees of the Complainant to obtain confidential information, which constitutes bad faith use.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under the Policy, paragraph 4(a), the Complainant must prove that each of the following three elements is present:

- (i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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

The disputed domain name includes the TETRA PAK Mark with the only exception that the letter "a" in the middle is changed into an "e". The Panel believes that – even with the letter "e" in the middle –the TETRA PAK Mark is recognisable within the disputed domain name, as only one out of eight letters differs from the TETRA PAK Mark. Therefore, the disputed domain name is confusingly similar to the TETRA PAK Mark.

The Panel finds that the Complainant satisfied the requirements of the Policy, paragraph 4(a)(i).

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

Even though the Policy requires the complainant to prove that the respondent has no rights or legitimate interests in the disputed domain name, it is the consensus view among UDRP panels that a complainant has to make only a prima facie case to fulfill the requirements of the Policy, paragraph 4(a)(ii). As a result, once a prima facie case is made, the burden of coming forward with evidence of the respondent's rights or legitimate interests in the disputed domain name will then shift to the respondent.

The Complainant has substantiated that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel finds that the Complainant has made a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name and that the burden of production has been shifted to the Respondent.

The Respondent did not deny these assertions in any way and therefore failed to come forward with any allegations or evidence demonstrating any rights or legitimate interests in the disputed domain name.

Based on the evidence before the Panel, the Panel cannot find any rights or legitimate interests of the Respondent either. The use of the disputed domain name to send emails to third parties which are intended to give the false impression that they originate from the Complainant is not bona fide use under the Policy.

Accordingly, the Panel finds that the Complainant has established that the Respondent has no rights or legitimate interests in respect of the disputed domain name under the Policy, paragraphs 4(a)(ii) and 4(c).

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

The Panel is satisfied that the Respondent registered and is using the disputed domain name in bad faith.

The Panel is satisfied that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights in the TETRA PAK Mark. As confirmed by previous decisions under the UDRP, the TETRA PAK Mark is well known. Given that the Respondent is using the disputed domain name to send emails to third parties which are intended to give the false impression that they originate from the Complainant, it is inconceivable that the Respondent has been unaware of the Complainant and its TETRA PAK Mark when registering the disputed domain name.

The Panel is further satisfied that the disputed domain name has been used in bad faith. It is well established that the use of a disputed domain name in connection with the distribution of fraudulent emails is to be considered as bad faith under the Policy.

Consequently, the Panel finds that the Respondent registered and is using the disputed domain name in bad faith and that the Complainant satisfied the requirements of the Policy, paragraph 4(a)(iii).

### **7. Decision**

For the foregoing reasons, in accordance with the Policy, paragraph 4(i), and the Rules, paragraph 15, the Panel orders that the disputed domain name <tetrepak.net> be transferred to the Complainant.

*/Brigitte Joppich/*

**Brigitte Joppich**

Sole Panelist

Date: December 1, 2025