

ADMINISTRATIVE PANEL DECISION

Casa del Caffè Vergnano S.p.A. v. Global Coffee
Case No. D2025-5066

1. The Parties

The Complainant is Casa del Caffè Vergnano S.p.A., Italy, represented by Saglietti Bianco, Italy.

The Respondent is Global Coffee, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <caffevergnano1882.com> and <caffevergnano1882.shop> are registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 5, 2025. On December 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 11, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 12, 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 December 17, 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 December 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 7, 2026 which was extended to January 11, 2026 pursuant to paragraph 5(b) of the Rules. The Response was filed with the Center on January 5, 2026.

The Center appointed John Swinson as the sole panelist in this matter on January 20, 2026. 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 with registered office in Santena, Italy.

The Complainant is one of Italy's leading coffee producers. The trade name "Caffè Vergnano" has been in use since 1882. The founder of the Complainant was Domenico Vergnano. The Complainant produces and sells coffee and operates coffee shops.

The Complainant is the owner of several VERGNANO and CAFFÈ VERGNANO 1882 trademark registrations, including United Kingdom trademark registration number UK00914321988 for VERGNANO that was filed on June 30, 2015, and registered on October 13, 2015; and United Kingdom trademark registration number UK00003344267 for CAFFÈ VERGNANO 1882 in a circle device that was filed on October 9, 2018 and registered on December 28, 2018.

The Complainant owns and uses the domain name <caffevergnano.com>.

The disputed domain name <caffevergnano1882.shop> was registered on September 29, 2020.

The disputed domain name <caffevergnano1882.com> was registered on March 14, 2022.

At the present time, the disputed domain name <caffevergnano1882.shop> does not resolve to an active website. It diverts to the Registrar's parking page. At the time of filing of the Complaint, this disputed domain name resolved to a website offering coffee products under the "BREW GRDN" / "BREW GARDEN" brand, containing the message: "We are currently undergoing our rebranding from Caffè Vergnano 1882 to Brew Garden. [www.brewgarden.co.uk/shop]". The Panel has visited the website at the domain name <brewgarden.co.uk> which is a website for two "Brew Garden" coffee shops that specialize in Italian coffee and that also sell coffee beans.¹ The Brew Garden website refers to L. F. as Founder & CEO.

At the present time, the disputed domain name <caffevergnano1882.com> does not resolve to an active website. It diverts to the Registrar's parking page. In December 2025, it redirected to the domain name <brewgarden.co.uk>.

The legal status of the Respondent is unclear. The Registrar's records list the Respondent as "Global Coffee". The Response was filed with the following details: "Respondent: L. F. / Global Coffee". From Exhibits to the Complaint provided by the Complainant, the Respondent's legal name is "Global Coffee Shops Limited", a United Kingdom company. According to the United Kingdom Companies House official register (searched by the Panel), this company had L. F. as a director. The Exhibits to the Complaint state that this company was in liquidation in 2022. According to the United Kingdom Companies House official register, this company was dissolved on June 23, 2024.

It is not disputed that the Respondent was a former distributor of the Complainant's products in the United Kingdom from the early 2000s until the termination of the commercial relationship in 2022². There was a formal "Commercial Contract" between the Complainant and the Respondent dated June 19, 2002 (replaced by another contract dated May 18, 2007). This latter contract lists the Complainant's trademarks (including CAFFÈ VERGNANO 1882) and has the following clause: "Licensee is formally prohibited from registering the Trade Marks included in the sales system in their name or in someone else's name."

¹Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") section 4.8.

² As claimed by the Complainant and corroborated by copies of email exchanges between the Parties. The Panel notes that the Respondent stated the commercial relationship was terminated in 2023.

This contract was renewed on January 17, 2020, and included the following clause: "... Such use is granted solely for the achievement of the aims stated in and for the duration of this contract. Licensee is formally prohibited from registering the Trade Marks included in the System in their name or in someone else's name." There were additional restrictions in this contract, including that the Respondent was not to "open any website, social network or similar (i.e.: Facebook, Twitter, Google+, Instagram) using the Trademarks of Casa Del Caffè Vergnano Spa (i.e.: 'Caffè Vergnano', 'Caffè Vergnano 1882', '1882', 'Casa del Caffè Vergnano', 'E'spresso', 'E'spresso 1882' ...) without the prior written authorization of Casa Del Caffè Vergnano Spa."

The Complainant and the Respondent are in dispute on other issues, such as money claimed by the Complainant against the Respondent.

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.

In summary, the Complainant makes the following submissions:

The disputed domain names wholly incorporate the Complainant's trademarks and lead the public to think that they are directly affiliated with the Complainant.

In Italian, "coffee" translates as "caffè", which is the core product commercialized by the Complainant. "Vergnano" identifies the family brand, while "1882" recalls the company's original founding date, together forming the marks that uniquely distinguish the Complainant in the marketplace.

The Respondent's use of the disputed domain names is not connected to any bona fide offering of goods or services. On the contrary, the disputed domain name <caffevergnano1882.com> currently redirects Internet users to the Respondent's "Brew Garden" website, where competing products are promoted, thereby misleadingly suggesting an affiliation with the Complainant.

The Respondent was a former distributor of the Complainant's products in the United Kingdom from the early 2000s until the termination of the commercial relationship in 2022. Throughout the duration of this relationship, the Respondent was expressly prohibited by contract from registering the Complainant's trademarks in his own name or in the name of third parties.

The Respondent's registration of the disputed domain names constitutes a direct breach of contractual obligations and evidences a deliberate pattern of abusive registrations intended to misappropriate the Complainant's marks and mislead consumers. By registering the disputed domain names, the Respondent has prevented the Complainant from reflecting its mark in the disputed domain names in violation of paragraph 4(b)(ii) of the Policy.

The Respondent has demanded excessive sums for the transfer of the disputed domain names, far exceeding any conceivable out-of-pocket costs. Panels have consistently held that such conduct constitutes bad faith registration and use, as it evidences an attempt to obtain unjust benefit from the trademark owner.

B. Respondent

The Respondent contends that the Complainant has not satisfied the second and third elements required under the Policy for a transfer of the disputed domain names.

In summary, the Respondent makes the following submissions:

The disputed domain names were registered and used in the context of a long-standing commercial activity involving the bona fide resale of genuine Café Vergnano products. Panels have consistently recognised that the resale of genuine goods may give rise to a legitimate interest where the respondent does not falsely suggest being the trademark owner or an official brand entity. Accordingly, the Respondent satisfies paragraph 4(c)(i) of the Policy.

The disputed domain names were not registered in bad faith. Each was registered during the course of an existing commercial relationship and against a backdrop of long-standing, openly tolerated use of brand-related domain names connected to the resale of genuine products. Nor are the disputed domain names being used in bad faith. The Respondent has not engaged in any of the conduct contemplated by paragraph 4(b) of the Policy. Any references in the Complaint to alleged commercial disputes or financial matters fall outside the narrow scope of the Policy. The Respondent's voluntary removal of any redirection during the pendency of this case further demonstrates good faith.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

The onus of proving these elements is on the Complainant.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. In the present case, the named Respondent is the same for both disputed domain names.

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

The Panel finds the CAFFÈ VERGNANO 1882 mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Respondent does not contest the first element of the Policy.

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, any of which (if found by the Panel to be proved) shall demonstrate that the Respondent has rights or legitimate interests in respect of 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 relies on paragraph 4(c)(i) of the Policy, and claims that the Respondent resold genuine goods of the Complainant.

The Respondent’s reliance on paragraph 4(c)(i) of the Policy fails for the following reasons.

First, the Respondent is no longer an authorised distributor or reseller of the Complainant.³ It is undisputed that the relationship ended in either 2022 or 2023. The Respondent continued to hold and use the disputed domain names after the ending of the relationship. While, in certain circumstances, a third party may legitimately sell a trade mark owner’s products via a domain name which incorporates the relevant trade mark without the trade mark owner’s permission, the Respondent used, at the time the Complaint was filed, the disputed domain names to redirect/resolve to websites that promote coffee and coffee shops that compete with the Complainant’s coffee and coffee shops. Use of the disputed domain names to advertise products and services in competition with the Complainant is not use of the disputed domain names in connection with a bona fide offering of goods or services. [WIPO Overview 3.0](#), section 2.2. See also *HDMI Licensing Administrator, Inc. v. S Kumar, Knoxed Limited*, WIPO Case No. [D2018-2514](#).

Second, the agreements between the Complainant and the Respondent explicitly prohibited the Respondent from registering the Complainant’s trademarks or using the Complainant’s trademarks for any website without the Complainant’s prior written authorization. The Panel finds, on balance, the Respondent had no right to register the disputed domain names. The Respondent has not provided any evidence or explanation to the contrary.

Third, the Global Coffee Shops Limited (as a corporate entity) has been deregistered and no longer exists. It is not clear how an entity that does not exist could claim rights or legitimate interests in the disputed domain names. Compare *AXA SA v. Advocates Across America*, WIPO Case No. [D2017-2497](#). The Respondent has provided no details regarding this situation or explained the legal status of “Global Coffee”. Alternatively, if L. F. is the owner of the disputed domain names, as claimed by L. F. in his Response, noting the above, there is no evidence that L. F. has any 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 relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

³Assuming it ever was, as the Registrar-confirmed Respondent is Global Coffee, not Global Coffee Shops Limited, and the status of the former is unclear.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

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 Respondent has clearly used the disputed domain names in bad faith. The Respondent used the disputed domain names to resolve/redirect to websites controlled by L. F., which promoted goods and services directly competitive with the Complainant. The Panel finds that the Respondent has registered and used the disputed domain names to disrupt the business of a competitor (paragraph 4(b)(iii) of the Policy) and to intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the complainant's mark (paragraph 4(b)(iv) of the Policy.)

Accordingly, under paragraph 4(b) this "shall be evidence of the registration and use of a domain name in bad faith". That is, meeting paragraph 4(b)(iii) or 4(b)(iv) is evidence of both bad faith registration and bad faith use sufficient to satisfy the third element of the Policy (paragraph 4(a)(iii) of the Policy).

There are several prior decisions where a distributor ceases to be a distributor, and in some of these cases, the distributor then uses the domain name in bad faith. Some of these cases decide that the third element of the Policy is met, and some of these cases decide for the respondent on the basis that there was no evidence of bad faith registration. The outcome depends on the particular circumstances of each case. Cases finding for the complainant in such circumstances include *R&M Italia SpA, Tycon Technoglass Srl v. EnQuip Technologies Group, Inc.*, WIPO Case No. [D2007-1477](#); *Maree Gaye Miller v. Peter Horner*, WIPO Case No. [D2008-1492](#); *Dominique Tillen v. Administrator Administrator*, WIPO Case No. [D2018-2181](#); and *HDML Licensing Administrator, Inc. v. S Kumar, Knoxed Limited*, WIPO Case No. [D2018-2514](#). Cases finding for the respondent in such circumstances include *Trove Brands, LLC and Runway Blue, LLC v. skyline brands GmbH / Janus Radomski*, WIPO Case No. [D2024-2884](#); and *Julius Blum GmbH v. Galimberti Ferramenta Snc*, WIPO Case No. [D2024-0943](#).

In the present case, the disputed domain names were registered over 18 years after the "Commercial Contract" was first entered into between the Complainant and the Respondent. The Respondent was clearly aware of the Complainant and its trademarks at the times that the disputed domain names were registered. There is no evidence before the Panel that the Respondent had authority from the Complainant to register the disputed domain names. The evidence, provided by the Complainant and discussed above, is to the contrary. Moreover, the Respondent used the disputed domain names in bad faith. The mere fact that the Complainant and the Respondent were in a commercial relationship does not, of itself, demonstrate good faith conduct by the Respondent, especially given the circumstances under which the registration occurred.

Further, the Respondent registered the disputed domain name <caffevergnano1882.com> in 2022, after the Parties had started exchanging correspondence which ultimately led to the end of their relationship, which further supports a finding of bad faith registration.

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 <caffevergnano1882.com> and <caffevergnano1882.shop> be transferred to the Complainant.

/John Swinson/

John Swinson

Sole Panelist

Date: February 3, 2026