

ADMINISTRATIVE PANEL DECISION

Luigi Lavazza S.p.A. v. 赵久标 (zhao jiubiao/zhaojiubiao)
Case No. D2025-5277

1. The Parties

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

The Respondent is 赵久标 (zhao jiubiao/zhaojiubiao), China.

2. The Domain Name and Registrar

The disputed domain name <lavazza-store.top> is registered with Xin Net Technology Corporation (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on December 17, 2025. On December 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 18, 2025, the Registrar transmitted by email to the Center its verification disclosing registrant and contact information for the disputed domain name 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 18, 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 in English on December 18, 2025.

On December 18, 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 December 18, 2025, the Complainant confirmed its request that English 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 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 in Chinese and English on December 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 19, 2026.

The Center appointed Douglas Clark as the sole panelist in this matter on January 22, 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, Luigi Lavazza S.p.A., is an Italian joint-stock company established in 1895 in Turin. It operates internationally in the coffee industry, manufacturing and selling a wide range of coffee products including espresso blends, capsules, and coffee machines, and is recognized as one of the leading global coffee brands with operations in over 140 countries. The Complainant also engages in significant marketing and brand-building activities, including international advertising campaigns and the Lavazza Calendar.

The Complainant is the owner of the following trademark registrations:

- International Trademark Registration No. 1299219 for LAVAZZA (figurative mark), registered on February 23, 2016, in classes 11, 30, and 43, designating, amongst others, China (Annex 4.4 to the Complaint);
- Chinese Trademark Registration No. 5853488 for LAVAZZA (word mark), registered on November 21, 2009, in class 30 (Annexes 4.5 to the Complaint); and
- International Trademark Registration No. 317174 for LAVAZZA (word mark), registered on July 18, 1966, in classes 29, 30, and 31 (Annex 4.2 to the Complaint).

The Complainant promotes its business through the websites associated with the domain names <lavazza.com> and <lavazza.cn>.

The disputed domain name was registered by the Respondent on August 13, 2025.

According to the information disclosed by the concerned Registrar to the Center after the filing of the Complaint, the underlying registrant of the disputed domain name is an individual located in Beijing, China by the name of “赵久标 (Zhao Jiubiao/Zhaojiubiao)”. However, the mailing address does not appear to exist in the city of Beijing.

The disputed domain name resolves to a website displaying the Complainant's trademark and product visuals and offering purported LAVAZZA coffee, coffee capsules, coffee machines and accessories for sale at heavily discounted prices.

Prior to the filing of the Complaint, Complainant's representative sent a cease and desist letter in English to the Respondent, addressing it to the email address found on the website at the disputed domain name, on August 19, 2025, requesting the immediate cease of any use and the transfer of the disputed domain name to the Complainant free of charge.

On the same day, the Complainant's representative also sent a cease and desist letter to the hosting provider of the website to which the disputed domain name resolves, requesting its deactivation. The hosting provider did not provide any reply to the Complainant's representative.

5. Parties' Contentions

A. Complainant

The Complainant contends that (i) the disputed domain name is identical and confusingly similar to the Complainant's trademark; (ii) the Respondent has no rights or legitimate interests in the disputed domain name; and (iii) the Respondent registered and is using the disputed domain name in bad faith.

In particular, the Complainant contends that the Respondent registered and is using the disputed domain name to generate confusion among Internet users seeking for LAVAZZA products, and to create the impression that the website is either run by the Complainant or by one of the Complainant's affiliated companies or authorized distributors and lure them into fraudulent transactions.

The Complainant notes that it has no affiliation with the Respondent, nor authorized the Respondent to register or use a domain name, which includes the Complainant's mark, and that the Respondent has no rights or legitimate interests in the registration of the domain name. Rather, the Complainant contends that the Respondent has acted in bad faith in acquiring and setting up the disputed domain name, when the Respondent clearly knew of the Complainant's rights.

B. Respondent

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

6. Discussion and Findings

6.1 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:

- (1) The Complainant's representative sent a cease and desist letter to the Respondent prior to the filing of the Complaint, in English language (Annex 10 to the Complaint), and has not received any reply from the Respondent, nor any requests for clarifications or translation of its communication;
- (2) the disputed domain name is registered in Latin characters and includes the English term "store".
- (3) the disputed domain name has been pointed to a website mainly drafted in English; and
- (4) the use of English will promote procedural efficiency by reducing the administrative burden associated with the translation of submissions and correspondences.

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

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The disputed domain name <lavazza-store.top> wholly incorporates the Complainant's LAVAZZA trademark. Although the addition of the other term here, "store", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

This conclusion is further reinforced by the fact that the Respondent apparently provided false contact details when registering the disputed domain name, which suggests an effort to evade accountability.

Panels have held that the use of a domain name for illegitimate activity here, claimed as impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 Respondent has reproduced substantial portions of the Complainant's website content, including the Complainant's trademark, on the website associated with the disputed domain name and apparently provided false contact information when registering the disputed domain name. By doing so, it is clear the Respondent was intentionally seeking to attract Internet users for commercial gain through the creation of a likelihood of confusion with the Complainant's mark, and to induce them into fraudulent transactions.

Panels have held that the use of a domain name for the purposes of impersonation/passing off constitutes bad faith under the Policy. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <lavazza-store.top> be transferred to the Complainant.

/Douglas Clark/

Douglas Clark

Sole Panelist

Date: February 10, 2026