

ADMINISTRATIVE PANEL DECISION

Alani Nutrition LLC v. no lar frank
Case No. D2026-1623

1. The Parties

The Complainant is Alani Nutrition LLC, United States of America ("United States"), represented by Edward Nathan Sonnenbergs Inc., South Africa.

The Respondent is no lar frank, Philippines.

2. The Domain Name and Registrar

The disputed domain name <alaninumalls.com> (the "Domain Name") is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 16, 2026. On April 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 17, 2026, 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 (Privacy User #4a6d09b9, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 24, 2026, 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 April 29, 2026.

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 April 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 20, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 21, 2026.

The Center appointed Gregor Vos as the sole panelist in this matter on June 4, 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 operates the brand “Alani Nu”. Products offered under this brand include a range of energy drinks, nutritional supplements, protein products and related goods. These products are offered for sale in the United States, Canada, Europe and the Asia Pacific region.

The Complainant is part of Celsius Holdings group of companies, which reported revenue of USD 1.36 billion in 2024.

The Complainant is the owner of, inter alia, the following trademark registrations (hereinafter referred to as: the “Trademarks”):

- United States Registration ALANI NU (word) No. 5726640 registered on April 16, 2019;
- European Union Registration  (figurative) No. 018864436 registered on September 1, 2023; and
- International Registration ALANI NU (word) No. 1860216 registered on April 22, 2025 designating Australia, United Kingdom, and New Zealand.

The Complainant operates its official website at “www.alaninu.com”.

The Domain Name was registered on February 24, 2026. At the time of the filing of the Complaint, the Domain Name resolved to an online shop purportedly offering the Complainant’s products for sale. The website prominently displayed the Complainant’s (figurative) Trademarks and product images. Currently, the Domain Name does not resolve to an active website.

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 Domain Name.

Notably, the Complainant contends that the Domain Name is confusingly similar to the Trademarks of the Complainant, the Respondent has no rights or legitimate interests in the Domain Name, and the Domain Name has been registered and is being used in bad faith.

Firstly, the Complainant contends that the Domain Name is confusingly similar to the Trademarks. The Domain Name incorporates the Trademarks in their entirety, with the mere addition of the descriptive term “malls”. This does not preclude a finding of confusing similarity. Furthermore, the addition of the generic Top-Level Domain (“gTLD”) “.com” should be considered standard registration requirements and must be disregarded.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the Domain Name. The Complainant has not granted the Respondent any authorization, license or consent to use the Trademarks in the Domain Name or to imply any connection with the Complainant. The Respondent has not demonstrated any bona fide use of the Domain Name. On the contrary, the Domain Name resolves to a website displaying the Complainant’s products, Trademarks and (copyright protected) content, without

accurately disclosing the lack of any relationship with the Complainant. This creates the false impression that the website is affiliated with or authorized by the Complainant. According to the Complainant, such use does not constitute a bona fide offering of goods or services and cannot confer rights or legitimate interests under the Policy.

Finally, the Complainant submits that the Respondent has registered and is using the Domain Name in bad faith. The Complainant contends that the Respondent was aware of the Complainant and its Trademarks when registering the Domain Name, inter alia because the term “Alani Nu” is unique to the Complainant in relation to the relevant product categories. According to the Complainant, the Respondent is using the Domain Name with the intention to attract, for commercial gain, Internet users to the website by creating a likelihood of confusion with the Complainant. In this regard, the Complainant points to the Respondent’s use of the Complainant’s Trademarks and the copied website content. The Respondent’s use of a privacy service further supports a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

For the Complainant to succeed, it must prove, within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

- i. the Domain Name is identical or confusingly similar to a trademark or a service mark in which the Complainant has rights;
- ii. the Respondent has no rights or legitimate interests in respect of the Domain Name; and
- iii. the Domain Name has been registered and is being used in bad faith.

Only if all three elements have been fulfilled, the Panel is able to grant the remedies requested by the Complainant. The Panel will deal with each of the requirements in turn.

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 Trademarks and the Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the Trademarks is reproduced within the Domain Name. Accordingly, the Domain Name is confusingly similar to the Trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

It is well established that the gTLD “.com” in the Domain Name is viewed as a standard registration requirement and as such is disregarded under the first element of confusing similarity (Section 1.11, [WIPO Overview 3.1](#)).

Although the addition of the term “malls” 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 Domain Name and the Trademarks for the purposes of the Policy. [WIPO Overview 3.1](#), 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 the Domain Name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that 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 3.1](#), 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 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 Domain Name such as those enumerated in the Policy or otherwise.

In this case, the composition and use of the Domain Name creates a risk of implied affiliation. The Domain Name incorporates the Trademarks in their entirety, together with the term “malls”. In addition, the website to which the Domain Name resolves allegedly offers the Complainant’s products for sale, prominently displays the Complainant’s (figurative) Trademarks and reproduces the Complainant’s website content, including product images, without disclosing their lack of relationship with the Complainant. This creates the false impression that the Respondent is affiliated with, endorsed by, or authorized by the Complainant. The Panel finds that such use does not confer rights or legitimate interests under the Policy.

For completeness, the Panel notes that based on the record before it and in the absence of any such defense raised by the Respondent, the Respondent has not satisfied the Oki Data test, in any case because the Respondent does not disclose its relationship with the Complainant ([WIPO Overview 3.1](#), Section 2.8).

With regard to the passing off the Complainant by copying its Trademarks and website content, panels have held that the use of a domain name for illegitimate activity can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. The illegitimate nature of the Respondent’s conduct is further evidenced by the Respondent’s use of the notice “Copyright 2026 © Alaninumalls.Com” on a website displaying the Complainant’s Trademarks and website content.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

In the present case, the Panel notes that the Trademarks predate the registration of the Domain Name. Considering that the Domain Name reproduces the Trademarks in their entirety with the mere addition of the word “malls” and the use to which they have been put, including the use of the Complainant’s Trademarks, product images and website content, the Panel agrees with the Complainant that it is not conceivable that the Respondent chose the Domain Name without knowledge of the Complainant, its activities, and the Trademarks under which the Complainant is doing business.

The Panel has found that the Respondent lacks any rights to or legitimate interests in the Domain Name, and the Panel finds from the present circumstances that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its websites on which commercial content was displayed, by creating a likelihood of confusion with the Complainant’s Trademarks.

Furthermore, Panels have held that the use of a domain name for illegitimate activity, such as passing off the Complainant by copying its Trademarks and website content in the present case, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Again, the illegitimate nature of the Respondent’s conduct is further evidenced by the Respondent’s use of the notice “Copyright 2026 © Alaninumalls.Com” on a website displaying the Complainant’s Trademarks and website content.

Furthermore, the Respondent’s concealment of its identity through a privacy shield when registering the Domain Name further supports a finding of bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Lastly, panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant’s trademark, and the composition of the Domain Name, and finds that in the circumstances of this case the passive holding of the Domain Name does not prevent a finding of bad faith under the Policy.

Accordingly, the Panel finds that the Respondent’s registration and use of the Domain Name constitutes bad faith under the Policy. The Complainant has therefore satisfied 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 Domain Name <alaninumalls.com> be transferred to the Complainant.

/Gregor Vos/

Gregor Vos

Sole Panelist

Date: June 18, 2026