

## ADMINISTRATIVE PANEL DECISION

Perfetti Van Melle S.p.A. v. Anna Sample, Name Redacted

Case No. D2026-2281

### 1. The Parties

The Complainant is Perfetti Van Melle S.p.A., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondent is Anna Sample, Name Redacted,<sup>1</sup> Australia.

### 2. The Domain Name and Registrar

The disputed domain name <perfettivanmelles.com> (the “Domain Name”) is registered with Hostinger Operations, UAB (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 27, 2026. On May 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On May 28, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (N/A) and contact information in the Complaint. The Center sent an email to the Complainant on May 29, 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 amendment to the Complaint on May 29, 2026.

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”).

---

<sup>1</sup> The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in these proceedings. The Panel has decided that Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 23, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on June 26, 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 to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is a manufacturer in the candy and confectionery sector. Perfetti Van Melle was formed in 2001 with the merger of the Italian-based company Perfetti S.p.A. and the Dutch-based company Van Melle NV. Van Melle was the older of the two companies, tracing its origins back in 1900. Today, the Complainant has 18.000 employees worldwide, with 44 operating companies and 34 manufacturing facilities, distributing its products in over 150 countries. The Complainant's net revenue sales in 2025 were above EUR 4 billion.

The Complainant owns several trademark registrations worldwide for PERFETTI VAN MELLE and PERFETTI, for example International Trademark Registration No. 775789 (registered on November 8, 2001) and European Union Trademark Registration No. 000089417 (registered on April 30, 1998). The Complainant also holds domain name registrations based on its trademarks, such as <perfettivanmelle.com>, registered on July 3, 2002.

The Domain Name was registered on April 13, 2026. The Complainant has documented that the Domain Name redirected to a registrar parking page but it has also been used to set up email accounts used for fraudulent email communications. At the time of Decision, the Domain Name resolved to an error page.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant provides evidence of trademark registrations and contends that the Domain Name is confusingly similar to the Complainant's trademark as the Domain Name reproduces the denominative portion of the Complainant's trademark in its entirety, with the mere addition of a single letter "s".

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant has not authorized, licensed, or otherwise permitted the Respondent to use its trademark. The Respondent's use of the Domain Name does not constitute a legitimate non commercial or fair use. The Respondent's use of the Domain Name has been used for fraudulent purposes to create email addresses which have been used to impersonate the Complainant's employees for scam and phishing purposes. The use of a domain name for illegal activity cannot confer rights or legitimate interests on the Respondent. Moreover, the Domain Name carries a high risk of implied affiliation with the Complainant. Finally, the Complainant contends that the current passive holding of the Domain Name cannot give rise to any possible legitimate interests of the Respondent.

The Complainant asserts that the Respondent was aware of the Complainant when the Respondent registered the Domain Name. It follows from the use of the Domain Name and the fame of the Complainant's trademark. The misappropriation of a well-known trademark constitutes by itself bad faith registration for the purposes of the Policy. The fact that the Domain Name is almost identical to the Complainant's trademark further underlines that the Respondent was indeed actually aware of, and intended to target, the Complainant and its trademarks at the time of registration. The use of the Domain Name in connection with phishing and scam email communications undoubtedly constitutes use in bad faith. Finally, the Complainant argues that the suspension and current no-use of the Domain Name does not change the

bad faith status, as the concept of “bad faith use” includes not only positive action but also passive holding. The non-use of a domain name corresponding to a well-known trademark is evidence of bad faith. See WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 3.3.

## **B. Respondent**

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

## **6. Discussion and Findings**

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

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 Domain Name. [WIPO Overview 3.1](#), section 1.7.

The Complainant has established that it has rights in the trademark PERFETTI VAN MELLE. In this case, the Domain Name incorporates the Complainant’s trademark with the addition of “s”. The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. For the purpose of assessing confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain, see [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. 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.

Based on the evidence, the Respondent is not affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent’s use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. On the contrary, the use of the Domain Name is evidence of bad faith, as discussed below. The Panel finds also that the composition of the Domain Name signals the Respondent’s intention of taking unfair advantage of the likelihood of confusion between the Domain Name and the Complainant.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

### **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 knew of the Complainant when it registered the Domain Name. It follows from the fame of the Complainant, the composition of the Domain Name, and the use of the Domain Name.

The use of the Domain Name, creating email addresses to impersonate the Complainant's employees for scam and phishing purposes, is also clear evidence of bad faith use under the Policy.

Based on the available record, 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 the Domain Name <perfettivanmelles.com> transferred to the Complainant.

*/Mathias Lilleengen/*  
**Mathias Lilleengen**  
Sole Panelist  
Date: June 29, 2026