

ADMINISTRATIVE PANEL DECISION

Tetra Laval Holdings & Finance S.A v. Karan Khanna
Case No. D2026-2785

1. The Parties

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

The Respondent is Karan Khanna, India.

2. The Domain Name and Registrar

The disputed domain name <tetrapakserbia.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 26, 2026. On June 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 29, 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 (Registration Private, Domain by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 30, 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 the same day.

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 July 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 24, 2026.

The Center appointed Ganna Prokhorova as the sole panelist in this matter on July 29, 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 founded in 1947 is a Swiss corporation which is a part of the Tetra Laval Group. The Tetra Laval Group consists of three independent industry groups, including the Tetra Pak Group. The Tetra Pak Group is a world leader in the development, production, marketing, and sale of equipment and processing plants for the processing, packaging, and distribution of food products and related accessories. The Tetra Pak Group employs more than 25,000 people and is operative in more than 160 countries worldwide, including Serbia and India.

The Complainant is the owner of numerous trademark registrations incorporating the mark TETRA PAK, including, inter alia:

- European Union trademark registration TETRA PAK (word), No. 1202522, registered on October 2, 2000, in classes 6, 7, 9, 11, 16, 17, 20, 21, 29, 30, 32, 33 and 37;
- European Union trademark registration TETRA PAK (fig.), No. 3188323, registered on November 8, 2004, in classes 6, 7, 9, 11, 16, 17, 20, 21, 29, 30, 32, 33, 35, 37, 40 and 42; and
- International Trademark Registration TETRA PAK (word), No. 1146433, registered on November 6, 2012, in classes 7, 11, 16, 29, 30, 32, 33, 37 and 42.

The Complainant owns numerous domain names, including domain names <tetrapak.com> registered in 1993 and <tetrapak.rs> registered in 2008.

The disputed domain name was registered on June 24, 2026. The disputed domain name resolves to a website prominently displaying the name “TETRA PAK SERBIA”, the statement “Sustainable Packaging; Guaranteed Freshness,” and a copyright notice in the name of “Tetra Pak Serbia”.

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 name.

Notably, the Complainant contends that:

1. The disputed domain name is confusingly similar to the Complainant’s trademark, since it incorporates the TETRA PAK mark in its entirety. The addition of the geographical term “serbia” does not prevent the finding of confusing similarity;
2. The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant, has no license or authorization to use the TETRA PAK mark, and is not commonly known by “TETRA PAK”. The disputed domain name resolves to a website prominently displaying the wording “Sustainable Packaging”, including through a copyright notice issued in that name. Such use does not constitute a bona fide offering of goods or services and negates any claim to rights or legitimate interests; and
3. The disputed domain name was registered and is being used in bad faith. Registering the disputed domain name so obviously connected to a well-known mark without authorization is itself evidence of bad

faith. Furthermore, the composition of the disputed domain name, incorporating the Complainant's TETRA PAK trademark in its entirety together with the term "serbia", reinforces the conclusion that the Respondent targeted the Complainant. Therefore, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial purposes, Internet users to its website, by creating a likelihood of confusion with the Complainant's TETRA PAK trademark. The Respondent's use of a privacy service to conceal its identity and contact details further supports a finding of bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

The onus is on the Complainant to make out its case and it is apparent, both from the terms of the Policy and the decisions of past UDRP panels, that the Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established before any order can be made to transfer the disputed domain name. In UDRP cases, the standard of proof is the balance of probabilities.

To succeed in a UDRP complaint, the Complainant has to demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, namely:

- (i) the disputed domain name is 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 name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The Respondent was given proper notice of the Complaint and had the opportunity to respond. Under paragraph 5(a) of the Rules, the Respondent was required to submit its response within 20 days of commencement of the proceeding. The Respondent failed to do so.

Pursuant to paragraph 5(f) of the Rules, in the event of such a default, the Panel shall proceed to a decision based on the Complaint. However, the Respondent's default does not mean that the Complainant automatically prevails; the Complainant continues to bear the burden of proof on each element. The Panel may draw appropriate inferences from the Respondent's silence, and, where appropriate, accept as true the reasonable allegations in the Complaint that are not contradicted by evidence.

The Panel has reviewed the entire case file and the evidence provided. The Panel is also guided, where pertinent, by the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), which reflects consensus positions of UDRP panels on many common issues. The Panel will make reference to these consensus views in the analysis below as applicable.

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 mark and the disputed domain name. [WIPO Overview 3.1](#), section 1.7.

Based on the evidence submitted by the Complainant, the Panel finds that the Complainant has shown rights in respect of its TETRA PAK mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that the Complainant's mark is recognizable within the disputed domain name. The disputed domain name incorporates the Complainant's TETRA PAK mark in its entirety, with the only difference being the addition of the geographical term "serbia". In accordance with [WIPO Overview 3.1](#), section 1.8, addition of other terms, whether descriptive, geographical, pejorative, meaningless, or otherwise, would not prevent a finding of confusing similarity under the first element, as the Complainant's mark remains clearly recognizable within the disputed domain name.

The Panel further notes that the generic Top-Level Domain ("gTLD") ".com" is required only for technical reasons and is generally disregarded for the purposes of comparison of the Complainant's mark to the disputed domain name. [WIPO Overview 3.1](#), section 1.11.1.

Accordingly, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's mark and that the first element of paragraph 4(a) of the Policy is satisfied.

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 3.1](#), section 2.1.

Having reviewed the record, the Panel finds that the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not filed a Response and therefore has not rebutted the Complainant's case or provided any evidence demonstrating rights or legitimate interests under the Policy or otherwise.

The evidence shows that the Respondent is not using the disputed domain name in connection with any bona fide offering of goods or services. Rather, the Respondent is using it to operate a website that incorporates the Complainant's TETRA PAK mark in order to attract Internet users to a website purporting to offer packaging-related services under the name "TETRA PAK SERBIA".

Nor does such use constitute a legitimate noncommercial or fair use of the disputed domain name, as it is clearly commercial in nature and seeks to capitalize on the goodwill associated with the Complainant's TETRA PAK mark. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

The Panel further notes that the Complainant has established trademark rights in the TETRA PAK mark and has confirmed that it has no relationship with the Respondent. The Respondent has not been authorized, licensed, or otherwise permitted to use the Complainant's trademark. Furthermore, there is nothing in the record to suggest that the Respondent is commonly known by the disputed domain name or any corresponding name.

In light of the Respondent's failure to participate in the proceedings, the absence of any credible evidence of rights or legitimate interests, and the clear intent to capitalize on the goodwill of the Complainant's

trademark, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name.

Accordingly, the Complainant has satisfied the requirement of 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.

In the present case, the Panel finds that the Respondent both registered and is using the disputed domain name in bad faith under paragraph 4(b) of the Policy.

The Complainant operates globally under the distinctive and well-known TETRA PAK trademark. The Complainant is a globally recognized company engaged in the development and marketing equipment for processing, packaging and distribution of food products, enjoying substantial reputation and goodwill worldwide. The Complainant also owns and operates the domain name <tetrapak.rs>, which incorporates the Complainant's TETRA PAK trademark under the country-code Top-Level Domain ("ccTLD") for Serbia.

Given the international reputation of the Complainant and the coined nature of the TETRA PAK trademark, the Panel finds it implausible that the Respondent was unaware of the Complainant's rights at the time of registration of the disputed domain name. The disputed domain name incorporates the TETRA PAK trademark in its entirety, adding only the geographical term "serbia", a composition which strongly supports a finding of deliberate targeting in accordance with section 3.2.1 of the [WIPO Overview 3.1](#).

The Panel further finds that the Respondent's conduct falls within paragraph 4(b)(iv) of the Policy. By registering the disputed domain name that wholly incorporates the Complainant's well-known TETRA PAK trademark together with the geographic term "serbia", using it for a website that prominently displayed the TETRA PAK mark, featured packaging-related content, and included a copyright notice in that name, the Respondent has created a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the disputed domain name. Such composition inherently suggests an association with the Complainant and constitutes an intentional attempt to exploit the goodwill of the Complainant's trademark.

The Respondent has provided no explanation for its choice of the disputed domain name, is not commonly known by the disputed domain name, and has not been authorized by the Complainant to use its trademark. The absence of any Response further reinforces the Panel's inference of bad faith. [WIPO Overview 3.1](#), section 4.3.

The Panel further notes that the Respondent has made use of a privacy or proxy service to register the disputed domain name. In the circumstances of the present case, it supports an inference that the Respondent sought to conceal its identity. This is considered by the Panel as an additional indicium of bad faith. [WIPO Overview 3.1](#), section 3.6.

Having regard to the totality of the circumstances, the Panel concludes that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy. Accordingly, the third element of the Policy has been established.

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 <tetrapakserbia.com> be transferred to the Complainant.

/Ganna Prokhorova/

Ganna Prokhorova

Sole Panelist

Date: August 11, 2026