ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Ausnutria B.V. v. Qingqing Yu
Case No. D2026-3045

1. The Parties

The Complainant is Ausnutria B.V., Netherlands (Kingdom of the), represented by Ploum, Netherlands (Kingdom of the).

The Respondent is Qingqing Yu, China.

2. The Domain Names and Registrar

The disputed domain names <kabrita.online> and <kabrita.store> are registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 10, 2026. On July 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On the same day, 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 (Unknown / Registration Private, Domain By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 19, 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 July 24, 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 July 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 19, 2026.

The Center appointed María Alejandra López García as the sole panelist in this matter on August 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 by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a Dutch company with over 100 years of experience in the dairy industry. The Complainant is part of Ausnutria Dairy Corporation Ltd., listed on the Hong Kong, China stock exchange. The Complainant exports its products from the Netherlands (Kingdom of the) to more than 60 countries worldwide; through it, the Complainant works closely with sister companies, subsidiaries, and joint ventures.

Through its subsidiaries, the Complainant serves both consumers and business customers by producing, manufacturing, and selling high-quality dairy products. The Complainant is recognized for its infant and toddler formula based on goat milk, as well as regular and organic cow milk.

According to the Complainant, it has a portfolio that consists of many worldwide well-known household names including CBM Goat Power, Neolac, Kabrimil, and KABRITA.

The Complainant owns numerous trademark registrations for the term KABRITA in various jurisdictions, including in China. These include, among others:

- European Union Trade Mark for the term KABRITA (word mark), Registration No. 009101213, registered on December 6, 2010, in force until April 29, 2030; in International Classes ("ICs") 5 and 29; and

- European Union Trade Mark for kabrita, Registration No. 013137559, registered on December 3, 2015, in force until August 1, 2034; in ICs 5 and 35; and

- International trademark for the term KABRITA (word mark), Registration No. 1221861, registered on May 1, 2014, in force until May 1, 2034; in ICs 5, 29 and 35; designating inter alia India, Japan, Cambodia, Republic of Korea, Singapore, and Switzerland.

The Complainant also owns the domain name <kabrita.com> as its official website.

The disputed domain names <kabrita.online> and <kabrita.store> were registered on November 4, 2025 and November 13, 2025, respectively. According to the evidence, the disputed domain names direct to webpages offering the disputed domain names for sale through the Registrar for USD 1,450.

Following the Center's request for registrar verification, the underlying registrant information disclosed that the disputed domain names were registered in the name of "Qingqing Yu", with an address in China.

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.

Notably, the Complainant contends that the disputed domain names are identical to the KABRITA trademark, as they both incorporate the KABRITA trademark in its entirety without any alteration; that the addition of the generic Top Level Domains (gTLDs) ".store" and ".online" should be disregarded when assessing identity or confusing similarity, as they are viewed as standard registration requirements.

Furthermore, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names, given that the Respondent is neither commonly known by the name “kabrita”; nor has it acquired any trademark or service mark rights in the term KABRITA; that the Respondent is not affiliated with the Complainant; that the Complainant has not licensed or otherwise permitted the Respondent to use the KABRITA trademark or to register it as a domain name; that there is no evidence of the Respondent making use of the disputed domain names in connection with a bona fide offering of goods or services, that instead each disputed domain name resolves to a webpage that offers it for sale, demonstrating that the Respondent deliberately registered domain names corresponding to the KABRITA well-known trademark with the sole intent of selling them for profit; that the composition of the disputed domain names creates a clear risk of implied affiliation with the Complainant; that the Respondent’s adoption of the disputed domain names was neither accidental nor coincidental, but a deliberate attempt to capitalize on the goodwill and reputation associated with Complainant’s KABRITA trademark, increasing the risk of phishing activities through the configuration of Mail Exchange records.

Lastly, the Complainant contends that the Respondent has registered and is using the disputed domain names in bad faith, given that at the time of registration, the Respondent was aware of the Complainant’s well-known and distinctive KABRITA trademark; that the disputed domain names have not been put in active use, instead have been offered for sale, for USD 1,450 each; that such amount exceeds the Respondent’s likely out-of-pocket costs directly related to the registration and maintenance of the disputed domain names, demonstrating that the Respondent knowingly registered them identical to the Complainant’s KABRITA trademark for the sole purpose of selling them at a substantial profit, as set out in paragraph 4(b)(i) of the Policy.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove that:

(i) the disputed domain names are identical or confusingly similar to a trademark in which the Complainant has rights; and

(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.

In accordance with paragraph 5(f) of the Rules, in the absence of a Response, the Panel shall decide the dispute based upon the Complaint. The complainant bears the burden of proof; a respondent’s default does not, by itself, mean that the complainant is deemed to have prevailed. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“WIPO Overview 3.1”) section 4.3. Therefore, the Panel will decide this case based on the “balance of probabilities” or “preponderance of the evidence” standard. WIPO Overview 3.1, section 4.2.

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 3.1, 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 Panel finds the mark is incorporated within the disputed domain names. Accordingly, the disputed domain names are identical to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Concerning the gTLDs ".online" and ".store" in this case, they do not impact the assessment of the first element, as they are viewed as standard registration requirements and are therefore disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

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 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 disputed domain names. 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 names such as those enumerated in the Policy or otherwise.

Nothing in the record suggests any of the circumstances set out under paragraph 4(c) of the Policy in favor of the Respondent; instead, according to the evidence, both disputed domain names have directed to webpages offering them for sale through the Registrar for USD 1,450 each. Furthermore, the Panel, based on the submitted evidence, acknowledges the Complainant's strong experience in the dairy industry and KABRITA as a well-known trademark. In this regard, the Panel finds that the nature of the disputed domain names - which reproduces the Complainant's KABRITA trademark in its entirety - creates a false impression of association with or endorsement by the Complainant, thereby emphasizing the Respondent's absence of any rights or legitimate interests in the disputed domain names. WIPO Overview 3.1, section 2.5.1.

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

C. Registered and Used 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.

The Panel notes that by the time the disputed domain names were registered, the Complainant had already established its trademark rights. The Complainant exports its products from the Netherlands (Kingdom of the) to more than 60 countries worldwide, including to China, where the Respondent seems to be located. The composition of the disputed domain names suggests that the Respondent was aware of and specifically targeted the Complainant's distinctive and well-known trademark KABRITA, and deliberately chose each disputed domain name with the Complainant in mind. Therefore, the Panel finds that the Respondent likely knew the Complainant, and therefore the disputed domain names were registered in bad faith. WIPO Overview 3.1, section 3.2.2.

In the present case, the Panel notes that the disputed domain names have directed to webpages offering them for sale through the Registrar for USD 1,450 each. Given the lack of explanation from the Respondent, in conjunction with the nature of the disputed domain names, which are identical to a distinctive and well-known trademark, as KABRITA in the dairy industry, the Panel finds it more likely than not that the Respondent registered the disputed domain names with the intention of selling them based on the Complainant's trademark value. This constitutes evidence of bad faith within the meaning of paragraph 4(b)(i) of the Policy.

Additionally, the Panel further notes that the Respondent "Qingqing Yu" has been subject to previous UDRP proceedings involving domain names that have been registered and used in bad faith, e.g., *Neurocrine Biosciences, Inc. v. 任艺伟 (Yi Wei Ren), Qingqing Yu, Yiwei Ren, Yiwei*, WIPO Case No. D2026-1767; *Compagnie Générale des Etablissements Michelin v. Qingqing Yu*, WIPO Case No. D2026-0103; *Mölnlycke Health Care AB v. Qingqing Yu*, WIPO Case No. D2025-5331, showing that the Respondent has also engaged in a pattern of conduct within the meaning of paragraph 4(b)(ii) of the Policy. WIPO Overview 3.1, sections 3.1.1 and 3.1.2.

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 <kabrita.online> and <kabrita.store> be transferred to the Complainant.

/María Alejandra López García/
María Alejandra López García
Sole Panelist
Date: September 9, 2026