ADMINISTRATIVE PANEL DECISION

Tetra Laval Holdings & Finance S.A. v. Joseph R. LLC, droid zdx
Case No. D2026-3341

1. The Parties

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

The Respondent is Joseph R. LLC, droid zdx, United States of America ("United States").

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 28, 2026. On July 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 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 (See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 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 August 4, 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 August 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 26, 2026.

The Center appointed Reyes Campello Estebaranz as the sole panelist in this matter on August 31, 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 Swiss corporation and part of the Tetra Laval Group, which comprises three industry groups, including the Tetra Pak Group.

Founded in 1947 in Sweden, the Tetra Pak Group is a multinational food processing and packaging company. It develops, markets, and sells equipment for the processing, packaging, and distribution of food products under the TETRA PAK brand across more than 160 countries, employing over 25,000 people worldwide.

The Complainant holds numerous trademark registrations for the TETRA PAK mark, including:

- Swedish Trademark Registration No. 71196 TETRA PAK (word), registered on December 14, 1951;

- European Union Trade Mark Registration No. 1202522 TETRA PAK (word), registered on October 2, 2000;

- European Union Trade Mark Registration No. 3188323 TETRA PAK PROTECTS WHAT'S GOOD (figurative), registered on November 8, 2004, with the following graphic representation:

- International Trademark Registration No. 1146433 TETRA PAK (word), registered on November 6, 2012;

- United States Trademark Registration No. 586,480 TETRA PAK (word), registered on March 9, 1954; and

- United States Trademark Registration No. 580,219 TETRA PAK (word), registered on September 22, 1953.

(Hereinafter collectively referred to as the "TETRA PAK Mark").

Furthermore, the Complainant owns more than 300 domain names incorporating the TETRA PAK Mark, including <tetrapak.com> (registered on August 12, 1993), which resolves to the Tetra Pak Group's primary corporate website.

The disputed domain name was registered on July 21, 2026, and it currently does not resolve to an active website, displaying a standard Internet browser error message that indicates the site cannot be reached. However, according to evidence submitted by the Complainant, the disputed domain name has been used in email schemes to impersonate the Complainant's personnel in communications with a client located in Ecuador, soliciting sensitive information and payment-related transactions.

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 the TETRA PAK Mark is well-known within its field, as recognized in previous UDRP decisions.[1]

The Complainant further asserts that the disputed domain name is a hardly noticeable and deliberate misspelling of the TETRA PAK Mark, making it confusingly similar to said mark. The generic Top-Level Domain ("gTLD") ".com" should be disregarded as a technical requirement of registration under the first element test. This constitutes a classic typosquatting case, reproducing a plausible way an Internet user might mistype the word "tetrapak" into a web browser when searching for the Complainant.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not commonly known by the disputed domain name, has no affiliation with the Complainant, and has neither been authorized nor licensed to use the TETRA PAK Mark. Moreover, the Respondent holds no trademark rights over the terms "tetrapalk" or "tetrapak". Additionally, the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, but rather to impersonate Complainant's employees in order to execute a payment redirection scam against one of its Ecuadorian customers.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. Given the strong distinctiveness, reputation, and goodwill of the TETRA PAK Mark, the Respondent was undoubtedly aware of the Complainant and intentionally targeted its trademark. A simple trademark or Internet search prior to registration would have readily disclosed the Complainant's rights. The selection of the term "tetrapalk" creates a false impression of association, endorsement, or sponsorship with the Complainant, designed solely to trade off its reputation. Given the composition of the disputed domain name, there is no plausible good-faith use for it. Furthermore, the active use of the disputed domain name in email schemes to impersonate the Complainant's personnel and solicit confidential information can never constitute a bona fide offering of goods or services or legitimate noncommercial fair use. Additionally, the Respondent's use of privacy services to mask its WhoIs details - combined with the active phishing scheme - demonstrates a pattern of deliberate concealment to evade legal accountability, delay enforcement, and engage in cybersquatting.

B. Respondent

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

6. Discussion and Findings

The Complainant has made the relevant assertions required under the Policy, and the dispute properly falls within its scope. The Panel has the authority to decide the dispute by examining the three elements set forth in paragraph 4(a) of the Policy, taking into account all relevant evidence, annexed materials, and allegations, and may conduct limited independent research pursuant to the general powers of the Panel, as articulated, inter alia, in paragraph 10 of the Rules.

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

---

[1] The Complainant cites *Tetra Laval Holdings & Finance S.A. v TetraPak Global PH-AU, Gerald Smith,* WIPO Case No. D2012-0847; Tetra Laval Holdings & Finance S.A. v. Kilt Kully, Huy, WIPO Case No. D2019-0802; *Tetra Laval Holdings & Finance S.A. v. ddd Firat, Analiz,* WIPO Case No. D2019-2864; *Tetra Laval Holdings & Finance S.A. v. Whois Agent (693439573), Whois Privacy Protection Service, Inc./ József Buda,* WIPO Case No. D2020-3105; *Tetra Laval Holdings & Finance S.A. v. WhoisGuard Protected, WhoisGuard, Inc. / Zetao Wang,* WIPO Case No. D2021-0559; *Tetra Laval Holdings & Finances S.A. v. WhoIs Agent, WhoIs Privacy Protection Service, Inc. / Trupper Mexico,* WIPO Case No. D2022-2490.

the Complainant's trademark and the disputed 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, namely the TETRA PAK Mark. WIPO Overview 3.1, section 1.2.1.

The entirety of the TETRA PAK Mark is reproduced within the disputed domain name with the addition of the letter "l" within the term "pak" (forming "palk"). The Panel finds that the disputed domain name incorporates sufficiently recognizable aspects of the relevant mark. The inclusion of the additional letter "l" constitutes an obvious, intentional misspelling of the mark, establishing a clear case of typosquatting.

It is well established that the simple addition, omission, or substitution of a letter does not prevent a finding of confusing similarity under the first element of the Policy. Furthermore, the generic Top-Level Domain ("gTLD") ".com" is a standard technical requirement for domain name registration and is disregarded for the purpose of assessing confusing similarity. WIPO Overview 3.1, section 1.7, 1.9, and 1.11.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's mark for the purposes of the Policy, and 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 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.

The Panel observes that nothing on the record indicates that the Respondent holds any rights or legitimate interests in respect of the disputed domain name. The Respondent possesses no trademark rights corresponding to the disputed domain name, is not commonly known by it, and has no authorization, license, or consent from the Complainant to use the TETRA PAK Mark. Moreover, there is no evidence that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name.

Furthermore, the Panel finds that the overall circumstances of this case demonstrate an intent on the part of the Respondent to create a false impression of affiliation with the Complainant and its trademark, thereby misleading Internet users seeking the Complainant. Such conduct cannot confer rights or legitimate interests under the Policy. Specifically, the composition of the disputed domain name - combining the Complainant's distinctive mark with an intentional misspelling - coupled with its active use to impersonate Complainant's personnel in an email phishing scheme, rules out any claim to bona fide or fair use.

It is well established that the use of a domain name for illegal or fraudulent activities, such as phishing, identity theft, or impersonation, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Accordingly, 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.

In the present case, the Panel notes the strong distinctiveness and long-standing use of the TETRA PAK Mark for nearly eighty years, its prominent online presence, and its well-known character as recognized in numerous prior decisions under the Policy.[2]

Furthermore, it is well settled that the practice of typosquatting in itself may constitute evidence of bad faith registration of a domain name. See, e.g., *Sopra Steria Group v. Sopra Steria, soprasteria,* WIPO Case No. D2023-2397; *Philip Morris Products S.A. v. Rohan Mubbashir Khan,* WIPO Case No. D2022-4582; and *Compagnie de Saint-Gobain v. Richard Andre, Bigcountryadventures Pty Ltd,* WIPO Case No. D2023-5215.

The evidence provided by the Complainant demonstrates that the disputed domain name has been actively used to impersonate the Complainant's personnel in Ecuador, sending fraudulent communications to one of its customers to solicit sensitive financial information and alter payment instructions. Panels have consistently held that the deliberate use of a domain name for illegal or fraudulent activities - such as phishing, impersonation, passing off, or financial fraud - constitutes bad faith registration and use under the Policy. See WIPO Overview 3.1, section 3.4; see also, e.g., *Keller Group plc v. Hoskins Felicia,* WIPO Case No. D2025-1452; *Southwire Company, LLC v. abraham cervantes,* WIPO Case No. D2024-3134; and *Technisem v. Wire Lord,* WIPO Case No. D2020-2136.

Furthermore, the Panel notes that the Respondent employed a privacy service to conceal its identity in the public WhoIs records. While the use of privacy or proxy services is not per se evidence of bad faith, the Panel finds that the combination of a privacy service with the registration of a typosquatted domain name incorporating a well-known trademark - and its active deployment in a fraudulent scheme – further supports an inference of bad faith.

Accordingly, having reviewed the entire record, the Panel finds that the Respondent registered and is using the disputed domain name in bad faith. 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 <tetrapalk.com> be transferred to the Complainant.

/Reyes Campello Estebaranz/
Reyes Campello Estebaranz
Sole Panelist
Date: September 7, 2026

[2] See footnote number 1.