ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Godiva Belgium B.V./S.R.L v. Madison Brooks, Samuel Green, Paso Asia, Celeste Cash, Tori Underwood, Joshua Carter, Joseph Young, Anniston Ford, Urdi do, Bei Qi, Wan Wei Wei, Amy Lahti, Chris Chu, Andrew Carter, 杨勇波 (yongbo), 博思云科技（浙江）有限公司 (Boss Cloud Technology (Zhejiang) Co., Ltd.), Risawa Atsutomu
Case No. D2026-3723

1. The Parties

The Complainant is Godiva Belgium B.V./S.R.L, Belgium, represented by Stobbs IP Limited, United Kingdom.

The Respondents are Madison Brooks, Samuel Green, Paso Asia, Celeste Cash, Tori Underwood, Joshua Carter, Joseph Young, Anniston Ford, Urdi do, Bei Qi, Wan Wei Wei, Amy Lahti, Chris Chu, Andrew Carter, Risawa Atsutomu, the United States of America ("United States"), 杨勇波 (yongbo), 博思云科技（浙江）有限公司 (Boss Cloud Technology (Zhejiang) Co., Ltd.), China.

2. The Domain Names and Registrars

The disputed domain names <getgodivachocolates.shop>, <godivaaustralia.shop>, <godivaaustraliashop.shop>, <godivacafe.shop>, <godivachocolates.shop>, <godivacollection.shop>, <godivagifts.shop>, <godivaofficial.shop>, <godivastore.shop>, <godivasweets.shop>, <ordergodivaaustralia.shop>, <thegodiva.shop>, <thevelvetgodiva.shop> are registered with Dynadot Inc, <godivaarkchocolate.com> is registered with Xin Net Technology Corporation, <godivamaison.com> is registered with Gname.com Pte. Ltd., and <godivashop.shop> is registered with Spaceship, Inc. (collectively the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on August 20, 2026. On August 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 21, 2026, 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, Redacted for privacy) and contact information in the Complaint.

The Center sent an email communication to the Complainant on August 26, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint in English on August 27, 2026.

On August 26, 2026 the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name <godivaarkchocolate.com> is Chinese. On August 27, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondents did not submit any comment on the Complainant's submission.

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 Respondents in Chinese and English of the Complaint, and the proceedings commenced on September 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 27, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on October 1, 2026.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on October 6, 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 Belgian company active in the chocolate and confectionery sector. Founded in 1926 by Joseph Draps, the Complainant has developed an international business under the GODIVA brand, which is associated with premium Belgian chocolates and confectionery. Its principal products include truffles, pralines, chocolate gift boxes, biscuits, cocoa, coffee, and other gourmet chocolate products. The Complainant's products are sold through grocery stores, specialty retailers, and online channels, as well as through more than 200 owned retail boutiques and cafés across Europe, the Middle East, and Asia. The Complainant also operates an official website at "www.godiva.eu" and promotes its products through social media and other online channels.

The Complainant owns an international trademark portfolio for the marks GODIVA and related marks, including but not limited to United Kingdom Intellectual Property Office registration No. UK00900184622 for GODIVA, registered on September 25, 1998, and European Union Intellectual Property Office registration No. 000184622 for GODIVA, registered on September 25, 1998. The Complainant owns additional trademark registrations for GODIVA and GODIVA-formative marks in various jurisdictions.

The disputed domain names were all registered between October 13, 2025 and June 19, 2026. Based on the evidence submitted, the disputed domain names resolve to websites displaying the GODIVA name and branding, images of GODIVA-branded products, and content relating to the sale of GODIVA-branded products.

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 confusingly similar to its GODIVA trademark, which the disputed domain names incorporate in their entirety together with descriptive or geographical terms associated with its products and commercial activities. The Complainant submits that these additional terms do not prevent a finding of confusing similarity and may reinforce the impression that the disputed domain names identify official Godiva websites or authorized retail channels.

The Complainant further contends that the Respondents have no rights or legitimate interests in respect of the disputed domain names. It states that it has not licensed, authorized, or otherwise permitted the Respondents to use its GODIVA trademark, that the Respondents are not affiliated with the Complainant, and that the Respondents are not commonly known by the disputed domain names. The Complainant relies on the associated websites, which display its trademarks and product imagery, adopt layouts similar to its official website, and offer purported GODIVA-branded products at materially lower prices without an accurate and prominent disclaimer of any relationship with the Complainant. It submits that this use, together with the composition of the disputed domain names and their appearance in relevant Google search results, creates a misleading impression of affiliation and does not constitute a bona fide offering of goods or services or legitimate noncommercial or fair use.

Finally, the Complainant contends that the disputed domain names were registered and are being used in bad faith. It submits that its longstanding international presence and established reputation in the GODIVA trademark, together with the composition of the disputed domain names and the content of the associated websites, demonstrate that the Respondents knew of and deliberately targeted the Complainant and its trademark. The Complainant argues that the Respondents intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the websites, within the meaning of paragraph 4(b)(iv) of the Policy. It further submits that the use of the disputed domain names to divert prospective customers to competing websites offering purported GODIVA-branded products disrupts the Complainant's business within the meaning of paragraph 4(b)(iii) of the Policy.

B. Respondents

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

6. Discussion and Findings

6.1 First Preliminary Issue: Consolidation of the Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

The Panel has carefully reviewed all elements of this case, giving particular weight to the following elements and facts: (a) the disputed domain names all consist of the Complainant's GODIVA trademarks together with descriptive or geographical terms associated with the Complainant's products and commercial activities, thereby exposing a pattern; (b) the disputed domain names were all registered within a relatively short period, between October 2025 and June 2026, with ten of the disputed domain names registered between May 19 and June 19, 2026; (c) all the disputed domain names use Cloudflare name servers; (d) the disclosed registrant contact details present certain similarities and apparent irregularities in the disclosed contact details, including the predominant use of Outlook or Hotmail email addresses, apparent discrepancies between telephone area codes and stated addresses, and multiple registrants providing addresses in the United States, namely Pasadena or New York; and (e) the disputed domain names resolve to websites displaying substantially similar content and imagery and impersonating the Complainant. Considering these factors cumulatively, the Panel finds that, on the balance of probabilities, the disputed domain names are subject to common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. The Panel also notes that the Respondents did not object to consolidation and did not respond.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.2 Second Preliminary Issue: Language of the Proceeding

The language of the Registration Agreement for all disputed domain names is English, except for the disputed domain name <godivaarkchocolate.com> for which the Registration Agreement is in Chinese. Pursuant to paragraph 11(a) of the Rules, in the absence of an agreement between the Parties or unless otherwise specified in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement.

The Complaint and amended Complaint were filed in English. The Complainant requested that English be the language of the proceeding for several reasons, including the fact that the websites associated with the disputed domain names contain English-language content and offer products in United States dollars. The Complainant further submits that the disputed domain names incorporate English-language terms, including "godiva" and "chocolate", which support the inference that the Respondent understands English. The Complainant also contends that translating the Complaint into Chinese would result in undue delay and substantial additional expense.

The Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs, see WIPO Overview 3.1, section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.3 Findings on the Merits

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 entirety of the mark is reproduced within each of the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms, here, "get", "chocolates", "official", "order", "australia", "maison", "shop", "store", "velvet", "gifts", "sweets", "collection", "the", and "cafe", as well as the additional string "arkchocolate", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark 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 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.

The Panel notes that the Complainant has not licensed, authorized or otherwise permitted the Respondent to use its GODIVA trademark or to register any domain name incorporating that trademark. Further, there is no evidence that the Respondent is affiliated with the Complainant in any way, or that it has been commonly known by the disputed domain names within the meaning of paragraph 4(c)(ii) of the Policy. The Panel also finds that there is no evidence that the Respondent has used, or made demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services. Instead, based on the evidence, the disputed domain names have been used to resolve to websites displaying the Complainant's GODIVA trademark and images of GODIVA-branded goods, in a manner that falsely suggests an affiliation with the Complainant. Panels have held that the use of a domain name for illegitimate activity, here, impersonation or claimed passing off, can never confer rights or legitimate interests on a respondent. See WIPO Overview 3.1, section 2.13.1.

The Panel further notes that the composition of the disputed domain names, combining the Complainant's GODIVA trademark with descriptive or geographical terms, including but not limited to "australia", "chocolates", "official", "order", "shop", "store", "gifts", "sweets", "collection", and "cafe", carries a risk of implied affiliation with the Complainant by suggesting that the disputed domain names identify the Complainant's official websites or authorized retail channels, including for particular products or geographical markets. See 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

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, on the balance of probabilities, the Respondent registered the disputed domain names with knowledge of the Complainant and its GODIVA trademarks. The GODIVA trademarks had already been registered and used for many decades before the registration of the disputed domain names, and the evidence indicates that GODIVA has a longstanding international reputation in the chocolate and confectionery sector. The Panel considers that the evidence in the present case supports a finding that the Complainant's GODIVA trademark was well known at the time the disputed domain names were registered, supporting an inference of knowledge of the mark on the part of the Respondent. Additionally, a simple trademark database or Internet search conducted prior to registration would have promptly disclosed the Complainant's longstanding trademark rights. These conclusions are further confirmed by the subsequent use of the disputed domain names, on the websites associated with which the Complainant's GODIVA trademark and images of GODIVA-branded products were displayed, confirming that the Respondent was aware of the Complainant and its trademark, and targeting such trademark, when registering the disputed domain names.

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 finds that the Respondent has used the disputed domain names to intentionally attract, for commercial gain, Internet users to the associated websites by creating a likelihood of confusion with the Complainant's GODIVA trademark as to the source, sponsorship, affiliation, or endorsement of those websites and the products offered on them. The websites associated with the disputed domain names prominently display the Complainant's GODIVA trademark, together with images of GODIVA-branded goods, and purportedly offered those goods for sale. In the circumstances of the case, the Panel finds that such conduct falls within the scope of paragraph 4(b)(iv) of the Policy, which constitutes direct evidence of bad faith under the Policy. In addition, panels have consistently held that the use of a domain name for illegitimate activity, including impersonation and passing off, constitutes evidence of bad faith. See WIPO Overview 3.1, section 3.4.

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 <getgodivachocolates.shop>, <godivaarkchocolate.com>, <godivaaustralia.shop>, <godivaaustraliashop.shop>, <godivacafe.shop>, <godivachocolates.shop>, <godivacollection.shop>, <godivagifts.shop>, <godivamaison.com>, <godivaofficial.shop>,

<godivashop.shop>, <godivastore.shop>, <godivasweets.shop>, <ordergodivaaustralia.shop>, <thegodiva.shop>, <thevelvetgodiva.shop> be transferred to the Complainant.

/Deanna Wong Wai Man/
Deanna Wong Wai Man
Sole Panelist
Date: October 20, 2026