

ADMINISTRATIVE PANEL DECISION

Ausnutria B.V. v. Ge Sibö Ge Sibö

Case No. D2026-3747

1. The Parties

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

The Respondent is Ge Sibö Ge Sibö, United States of America.

2. The Domain Name and Registrar

The disputed domain name <kabritakidswear.shop> is registered with Dynadot Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 21, 2026. On August 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 22, 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 (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 25, 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 25, 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 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 22, 2026.

The Center appointed Pascal Böhner as the sole panelist in this matter on September 28, 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 private limited liability company organized under the laws of the Netherlands (Kingdom of the), with over 100 years of experience in the dairy industry. The Complainant forms part of Ausnutria Dairy Corporation Ltd., listed on the Hong Kong, China Stock Exchange, and exports its products to more than 60 countries worldwide. The Complainant produces, manufactures, and sells dairy products, and is particularly known for its infant and toddler formula based on goat milk marketed under the KABRITA brand.

The Complainant is the owner of numerous trademark registrations consisting of or including the term KABRITA, including, among others:

- European Union Trade Mark KABRITA, with registration number 009101213, registered on December 6, 2010;
- International registration for KABRITA, with registration number 1221861, registered on May 1, 2014, designating inter alia Ukraine, Switzerland, and Singapore;
- European Union Trade Mark KABRITA, with registration number 013137559, registered on December 3, 2015;
- International trademark KABRITA, with registration number 1220068, registered on April 11, 2014, designating inter alia China and the Russian Federation.

(collectively, the “KABRITA Trademark”). The KABRITA Trademark is registered and used, among other things, for goods and services in classes 5, 29, and 35, including infant formula, goat milk and goat milk products as well as retail services associated with the aforementioned goods.

The disputed domain name was registered on April 22, 2026. It resolves to a website that purports to market and sell KABRITA-branded infant and toddler formula at heavily discounted prices. The website prominently and repeatedly displays the KABRITA figurative mark and refers to itself and its purported operator throughout as “Kabrita Europe”, including in the “About Us” page (which states that “Kabrita Europe” is located in the Netherlands (Kingdom of the)), the copyright notice, and the footer of every page. The sole contact details provided on the Website are the email address [...]@kabritaeurope.com.

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.

With respect to the first element, the Complainant contends that the disputed domain name incorporates the KABRITA Trademark in its entirety, with the mere addition of the descriptive term “kidswear”, which, given that the Complainant’s KABRITA products target infants and young children, enhances rather than dispels confusion, and that the “.shop” generic Top-Level Domain (“gTLD”) is to be disregarded.

With respect to the second element, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant invokes the test set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#) (“Oki Data”), applicable to resellers/distributors claiming a bona fide offering of goods, and contends that, irrespective of whether genuine KABRITA products are in fact being offered, the Respondent fails to satisfy the third Oki Data requirement because the

website does not accurately or prominently disclose the Respondent's lack of relationship with the Complainant. To the contrary, the Respondent affirmatively represents itself as "Kabrita Europe", including by using a confusingly similar trade name, a look-alike email address, and the Complainant's figurative mark throughout the website, thereby actively creating an impression of affiliation with, or endorsement by, the Complainant.

With respect to the third element, the Complainant contends that the Respondent, by virtue of the distinctiveness and reputation of the KABRITA Trademark and the identity between that mark and the dominant portion of the disputed domain name, must have had the Complainant and its trademark in mind at the time of registration. The Complainant further contends that the Respondent has intentionally attempted to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the website, as evidenced by the Respondent's adoption of the "Kabrita Europe" trade name and corresponding email address, and its extensive reproduction of the KABRITA mark and the Complainant's product imagery.

B. Respondent

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

6. Discussion and Findings

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 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 for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the KABRITA Trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is 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, "kidsweat" – may bear on the assessment of the second and third elements, the Panel finds that the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. The Panel further notes that the addition of the gTLD ".shop" is disregarded under the first element, as it is viewed as a standard registration requirement. [WIPO Overview 3.1](#), section 1.11.

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 name. The Respondent is not commonly known by the disputed domain name or by any name corresponding to the KABRITA Trademark, has not been licensed or otherwise authorized by the Complainant to use the KABRITA Trademark, and has not come forward with any evidence demonstrating rights or legitimate interests in the disputed domain name.

The Panel has considered whether the Respondent's conduct could nonetheless qualify as a bona fide offering of goods under the principles developed in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), which require, among other things, that a reseller (i) actually offer the goods or services at issue, (ii) use the site to sell only the trademarked goods, (iii) accurately and prominently disclose its relationship (or lack thereof) with the trademark holder, and (iv) not seek to corner the market in domain names reflecting the trademark.

The Panel finds that, even assuming the Respondent is in fact offering genuine KABRITA products, the Oki Data criteria are not met in this case. Rather than disclosing the absence of any relationship with the Complainant, the Respondent affirmatively adopts the trade name "Kabrita Europe" throughout the website, claims a presence in the Netherlands (Kingdom of the), reproduces the Complainant's figurative KABRITA mark, and uses an email address ([...][@kabrita-europe.com](mailto:[]@kabrita-europe.com)) that itself closely mimics the Complainant's mark. This conduct constitutes an active and deliberate impersonation of the Complainant designed to make Internet users believe that the website is operated, endorsed, or authorized by the Complainant, or by an official "European" branch or affiliate thereof.

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 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.

Given the distinctiveness of the KABRITA Trademark and the fact that the disputed domain name reproduces that mark in its entirety together with a term directly relevant to the Complainant's products (goods for children), the Panel finds that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights, and with the clear intent of targeting the Complainant and its goodwill.

The Panel further finds that, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Website by creating a likelihood of confusion with the KABRITA Trademark as to the source, sponsorship, affiliation, or endorsement of the website, within the meaning of paragraph 4(b)(iv) of the Policy. This is evidenced by the Respondent's extensive and unauthorized reproduction of the KABRITA mark and the Complainant's product imagery on the website, and in particular by the adoption of the trade name "Kabrita Europe" and a corresponding email address, which together create the false impression that the Website is operated by, or with the authorization of, the Complainant.

Given the totality of the circumstances – the distinctive character of the KABRITA Trademark, the composition of the disputed domain name and the Respondent's active impersonation of the Complainant – the Panel finds that the disputed domain name was registered and is being used in bad faith.

The Panel finds 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 <kabritakidswear.shop> be transferred to the Complainant.

/Pascal Böhner/

Pascal Böhner

Sole Panelist

Date: October 12, 2026