ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Luigi Lavazza S.p.A. v. niu youguo
Case No. D2026-4273

1. The Parties

The Complainant is Luigi Lavazza S.p.A., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondent is niu youguo, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <lavazzasaleus.shop> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 23, 2026. On September 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 25, 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 Purposes Privacy service provided by WITHHELD FOR PRIVACY LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 29, 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 amendment to the Complaint on September 30, 2026.

The Center verified that the Complaint together with the amendment to the 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 September 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 20, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 21, 2026.

The Center appointed Indrek Eelmets as the sole panelist in this matter on October 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 an Italian company active in the coffee business. The business dates back to 1895 and today operates in over 140 countries, with more than 5,800 employees worldwide. In 2025, the Lavazza Group reported revenues of EUR 3.9 billion.

The Complainant owns numerous trademark registrations for LAVAZZA, including:

- European Union Trademark Registration No. 000317057, registration date May 25, 1998;
- International Trademark Registration No. 317174, registration date July 18, 1966; and
- United States Trademark Registration No. 2236996, registration date April 6, 1999.

According to the Complaint, the Complainant owns more than 600 domain names containing its trademark, including <lavazza.com>, which was registered on May 19, 1996.

The disputed domain name was registered on August 13, 2025. According to the Complaint, the disputed domain name has never resolved to an active website since its registration.

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 disputed domain name is confusingly similar to the Complainant's trademark since the disputed domain name contains the trademark in its entirety, with the addition of the descriptive term "sale" and the letters "us", which may be understood as a geographical reference to the United States.

Moreover, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name since the Respondent is not an employee, licensee, affiliated person, or authorized agent of the Complainant and has not been authorized to use the trademark or to register or use the disputed domain name. The Complainant further submits that the Respondent is not commonly known by the disputed domain name, that no trademark application or registration for LAVAZZA was found in the name of the Respondent, and that the Respondent has not used, or demonstrated preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or for a legitimate noncommercial or fair use. The Complainant also argues that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant.

Finally, the Complainant argues that the Respondent registered and is using the disputed domain name in bad faith. Given the longstanding use and reputation of the trademark, the Respondent could not have been unaware of the Complainant and its trademark when registering the disputed domain name. The Complainant further relies on the passive holding of the disputed domain name, the composition of the disputed domain name combining the trademark with the term "sale" and the geographical indicator "us", the Respondent's failure to reply to the Complainant's cease-and-desist communications, and the alleged implausibility of any good-faith use of the disputed domain name. The Complainant additionally contends that the Respondent has engaged in a pattern of registering domain names corresponding to third-party trademarks, referring to a number of prior UDRP and other domain name dispute proceedings involving the Respondent, and that the contact details disclosed by the Registrar appear to be inaccurate or incomplete.

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 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 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, "sale" and "us", 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 name 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 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 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 that the Respondent must have been aware of the Complainant and its trademark when registering the disputed domain name, given that the trademark had been registered and used for a long time prior to the registration of the disputed domain name. The Panel further finds that the composition of the disputed domain name itself, reproducing the Complainant's trademark in its entirety with the addition of the descriptive term "sale" and the geographical indication "us", is suggestive of a website offering the Complainant's products for sale in the United States. This composition demonstrates the Respondent's knowledge of the Complainant and further supports a finding that the Respondent targeted the Complainant and its trademark at the time of registration.

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.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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 name <lavazzasaleus.shop> be transferred to the Complainant.

/Indrek Eelmets/
Indrek Eelmets
Sole Panelist
Date: November 9, 2026