ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

# ADMINISTRATIVE PANEL DECISION
Lidl Stiftung & Co. KG v. June Dane
Case No. D2026-4425

## 1. The Parties

The Complainant is Lidl Stiftung & Co. KG, Germany, represented by HK2 Rechtsanwälte, Germany.

The Respondent is June Dane, Finland.

## 2. The Domain Name and Registrar

The disputed domain name <lidlgbworks.com> is registered with RU-CENTER-MSK (Regional Network Information Center, JSC dba RU-CENTER) (the "Registrar").

## 3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on September 30, 2026. On September 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 1, 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 (Privacy protection service - whoisproxy.ru) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 1, 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 October 1, 2026.

On October 1, 2026, the Center informed the parties in Russian and English, that the language of the registration agreement for the disputed domain name is Russian. On October 1, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 in Russian and English of the Complaint, and the proceedings commenced on October 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default and its consequences on October 23, 2026.

The Center appointed Anton Polikarpov as the sole panelist in this matter on October 23, 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.

The Respondent sent an email communication to the Center on October 23, 2026, requesting additional 48 days to submit its Response. The Panel considered the Respondent's request and issued Administrative Panel Order No. 1 ("Panel Order"), granting an automatic 4 calendar days extension for response under paragraph 5(b) of the Rules on October 23, 2026, setting the updated due date for Response as October 26, 2026, and also stating that the Panel's decision would be delayed until October 27, 2026. No further elaboration or formal Response was provided by the Respondent. The Center did not receive any documentation from the Respondent that would substantiate its message.

The Panel is satisfied that the Center employed the reasonably available means calculated to achieve actual notice of the Complaint and the applicable procedural deadlines, in accordance with paragraph 2(a) of the Rules. The Respondent did not submit a substantive Response. Nevertheless, the Panel does not treat the Respondent's failure to file a substantive Response as an automatic ground for granting the requested remedy and considers the case on its merits, with the burden of proof remaining on the Complainant.

## 4. Factual Background

The Complainant is known as part of a group of companies that belong to one of the largest discount supermarket chains of German origin. Its business extends across numerous national markets, with physical retail operations complemented by digital services, online communication, recruitment, and supplier relationships.

Its principal brand identifier is the word mark LIDL, protected through a substantial international trademark portfolio, including:

- German Trademark No. 2006134 for LIDL**,** registered on November 11, 1991, covering goods in Classes: 3, 5, 8, 11, 16, 18, 21, 28, 29, 30, 31, 32, 33;

- European Union Trade Mark No. 013192752 for , registered on February 27, 2015, covering goods and services in Classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44;

- United Kingdom Trademark No. UK00901778679 for LIDL, registered on August 22, 2002, covering goods and services in Classes: 1, 2, 3, 4, 5, 7, 8, 9, 11, 13, 14, 16, 18, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 39, 41, 42; and

- International Registration No. 1940013 for LIDL., registered on January 30, 2020, covering goods and services in Classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44.

In domain names, the Complainant also maintains a substantial portfolio, including <lidl.com> (registered on February 20, 2000) and <lidl.co.uk> (registered on May 28, 1997) among others.

The disputed domain name was registered on August 26, 2026. It has no address (A) record and does not resolve to a website. Attempts to reach it return "Server not found". Its Mail Exchange ("MX") records point to the mail servers of the Registrar's email hosting service, and its Sender Policy Framework ("SPF") record authorises those servers to send mail for the disputed domain name. The MX records remained active at the time of submission of the Complaint.

According to the evidence submitted with the Complaint, beginning on September 2, 2026, email addresses associated with the disputed domain name were used to impersonate personnel of the Complainant's British affiliate, Lidl Great Britain Limited (publicly known as "Lidl GB"), in communications with suppliers in the United Kingdom. These communications included purported purchase orders, credit account applications, and business documents bearing the affiliate's name, logo, and corporate details. Several recipients sought confirmation from Lidl Great Britain Limited, which denied that the communications were authorized.

## 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 disputed domain name is identical or confusingly similar to the trademarks in which the Complainant has established rights;

- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

- the disputed domain name has been registered and is being used in bad faith.

In particular, the Complainant alleges that the disputed domain name was used for fraudulent email communications impersonating its British affiliate, including the submission of purchase orders and credit applications to third-party suppliers.

### B. Respondent

The Respondent did not submit a substantive Response to the Complaint. The Respondent requested an extension of time, as described in the Procedural History above, but did not address the Complainant's allegations on the merits.

## 6. Discussion and Findings

### 6.1. Preliminary Issue: Language of the Proceeding

The Registrar has confirmed that the registration agreement is in Russian. The Complainant has filed the Complaint in English and requests that English be adopted as the language of this proceeding.

In accordance with paragraph 11(a) of the Rules, unless otherwise agreed by the Parties, the language of the administrative proceeding shall be the language of the Registration Agreement, subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceeding.

The Panel has consequently the discretion to decide that the language of the administrative proceeding shall be other than that of the registration agreement, provided that the Panel exercises with fairness its discretion, treating each party equally and taking into account all relevant circumstances, such as the parties' ability to understand and use the proposed language, time and costs (see the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.5.1).

Several circumstances support conducting the proceeding in English, notwithstanding that the language of the Registration Agreement is Russian.

First, the disputed domain name is written in Latin script. Apart from the LIDL mark, its only elements are the abbreviation "gb" and the English term "works". Panels have treated features of this kind as indicating a respondent's familiarity with English (see e.g. *Lidl Stiftung & Co. KG v. Artem Dmitrenko*, WIPO Case No. D2021-3699).

Second, the record shows that the Respondent communicated fluently in English with suppliers in the United Kingdom. Nothing suggests that the Respondent cannot take part in the proceedings in English.

Third, the Center notified the Respondent of the Complaint and sent all case communications in both English and Russian. The Respondent did not object to English as the language of the proceeding.

Fourth, the Complainant cannot communicate in Russian. Requiring it to translate the Complaint and its Annexes would cost money and delay the case in a matter the Complainant presents as an active fraud.

Fifth, the only communication from the Respondent on record was sent in English. The Panel, therefore, has no doubt the Respondent understands English.

The Panel also finds applicable to this case the position on the use of English as the fairest neutral language, stated by previous UDRP panels under similar scenarios (see e.g. *LEGO Juris A/S v. Asiagroup,* WIPO Case No. D2022-2829; *IPSOS v. Beats,* WIPO Case No. D2022-1055).

Taking these matters together, and having regard to the Respondent's opportunity to object, the Panel determines that the language of the proceeding is English and that this Decision is issued in English.

**6.2. Substantive Issues**

Paragraph 4(a) of the Policy requires the Complainant to prove each of three elements: (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) the disputed domain name has been registered and is being used in bad faith.

Because the Respondent has not filed a substantive Response, the Panel decides the case on the basis of the Complaint and the documents submitted, however, it is not an automatic ground to transfer as the burden of proof rests with the Complainant. The standard of proof is the "balance of probabilities". Here, the Complainant's allegations are specific, documented and consistent with one another, and the Panel can make findings on them without speculation.

The Panel believes that the Parties have each been given a fair opportunity to present their case and, so that the proceeding may be resolved with due expedition as paragraph 10 of the Rules requires, the Panel proceeds to render its Decision on the merits.

So the Panel rules as follows.

**A. Identical or Confusingly Similar**

The Complainant has demonstrated rights in the LIDL marks in various jurisdictions, which predate the registration of the disputed domain name by many years, thereby satisfying the threshold standing requirement under the first element.

The basic limb also requires a side-by-side comparison of the disputed domain name with the textual components of the trademark. Where the mark is recognisable in the disputed domain name, the addition of other terms, whether descriptive, geographical, pejorative, meaningless, or otherwise, does not normally prevent a finding of confusing similarity (see the WIPO Overview 3.1, sections 1.7 and 1.8). The generic Top-Level Domain ("gTLD") ".com" is disregarded as well (see the WIPO Overview 3.1, section 1.11.1).

In this case, the disputed domain name incorporates the LIDL mark in its entirety, at the beginning of the second-level domain. The additional elements (terms "gb" and "works") do not prevent a finding of confusing similarity. The term "gb" is the common abbreviation for Great Britain. The term "works" is a dictionary English term.

Panels have repeatedly found domain names confusingly similar to the LIDL mark where a descriptive or functional term is added (see e.g. *Lidl Stiftung & Co. KG v. Name Redacted*, WIPO Case No. D2020-1441 or *Lidl Stiftung & Co. KG v. Contact Privacy Inc. Customer 1245982556 / lidl France*; WIPO Case No. D2020- 1095).

Applying that same reasoning here, the Panel finds the disputed domain name confusingly similar to the trademark in which the Complainant has rights, so the first element of paragraph 4(a) of the Policy is satisfied.

**B. Rights or Legitimate Interests**

The Complainant has made out a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name. That shifts to the Respondent the burden of producing evidence to the contrary (see the WIPO Overview 3.1, section 2.1).

The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence. The Panel nonetheless considers the Complainant's allegations on their merits rather than treating silence as conclusive.

Paragraph 4(c) of the Policy lists circumstances that would establish rights or legitimate interests. None applies here.

The disputed domain name never resolved to a website. Its only use, and the only preparation shown, is to send emails impersonating the Complainant's British affiliate, which is publicly known as "Lidl GB", purchasing and accounts staff in order to obtain credit and deliveries from suppliers.

Panels have consistently held that using a domain name for illegal activity, including phishing, impersonation or other fraud, can never confer rights or legitimate interests on a respondent (see the WIPO Overview 3.1, section 2.13.1, *Sodexo v. Contact Privacy Inc. Customer 1247189803 / NorAm Accounts Receivable*; WIPO Case No. D2020-1683).

In *The Prudential Assurance Company Limited v. Prudential Securities Limited,* WIPO Case No. D2009- 1561, the respondent used domain names incorporating the complainant's mark in connection with fraudulent email communications while masquerading as an entity associated with the complainant's group. The panel found that such use could not establish rights or legitimate interests.

Impersonating the staff of the trademark owner, or of its affiliate, is not a bona fide offering of goods or services in any sense the Policy recognises.

Similarly, nothing in the record suggests that the Respondent is commonly known by the names "lidl", "lidlgb", or "lidlgbworks". The name of the registrant disclosed by the Registrar bears no relation to the disputed domain name. The person named in the emails are not employed by Lidl Great Britain Limited, and any association they suggest with the Complainant is itself part of the deception. The Complainant has granted no licence or consent.

The use is commercial. The Respondent does not refer to the Complainant's mark in a nominative, comparative or critical way. It impersonates the Complainant's British affiliate, using its registered office, company number, VAT number, the LIDL logo and the name of an actual director. Using a domain name that combines a mark with a term suggesting affiliation, in order to impersonate the mark owner or its affiliates and to suggest sponsorship or endorsement, is the opposite of fair use (see the WIPO Overview 3.1, section 2.5.1).

Furthermore, the nature of the disputed domain name clearly implies affiliation or sponsorship by the Complainant or its affiliate, publicly known as "Lidl GB".

The Panel has considered whether any legitimate purpose that would vest the Respondent with rights or legitimate interests could account for registering a name combining the Complainant's mark, the abbreviation of its British affiliate and the term "works", and using it to send purchase orders in that affiliate's name. None is apparent from the record, and none has been suggested. Therefore, the Panel is satisfied that the Complainant has established the second element.

**C. Registered and Used in Bad Faith**

Firstly, LIDL is a distinctive mark, registered and used extensively across Europe, the United Kingdom and other countries. Earlier UDRP panels have recognised its reputation and well-known character (see e.g. *Lidl Stiftung & Co. KG v. SellDa GmbH*, WIPO Case No. D2008-0724, *Lidl Stiftung & Co. KG v. Neil Renfroe*, WIPO Case No. DCO2026-0052).

The disputed domain name does more than incorporate the trademark. It adds the term "gb", which points to the Complainant's British affiliate, the very business whose staff are impersonated. The Panel finds it implausible that the Respondent selecting that combination in August 2026 did so without knowledge of the Complainant and its British operations. The Respondent knew, or must have known, of the Complainant's rights when it registered the disputed domain name.

Furthermore, the first supplier emails on record were sent on September 2, 2026, seven days after registration. The configuration of mail services for a domain name with no website, and the speed with which the fraudulent scheme began, support the inference that the registration was made for the purpose of the fraudulent actions (see *Intellectual Ventures Management, LLC, Penky LLC v. Terry Gedeon*, WIPO Case No. D2021-0269).

Secondly, the disputed domain name is used exclusively for email. Panels have consistently held that using a domain name for purposes other than to host a website may constitute bad faith, and they list sending email, phishing, and fraud among such bad faith uses (see the WIPO Overview 3.1, section 3.4). Using a domain name to send deceptive emails that solicit goods, credit or payment is a paradigm instance (see e.g. *The Swatch Group AG, Swatch AG v. John Wison*, WIPO Case No. D2019-3182; *Software Brokers of America, Inc. d/b/a Intcomex v. Richard Mark*, WIPO Case No. D2025-2558).

Where a domain name is used to send impersonating email, panels have applied paragraph 4(b)(iv) of the Policy by analogy, treating the mailbox as an "on-line location" (see e.g. *Samsung Electronics Co., Ltd. v. Albert Daniel Carter*, WIPO Case No. D2010-1367; *Lidl Stiftung & Co. KG v. Name Redacted*, WIPO Case No. D2020-1441).

The Panel adopts that approach here. The Respondent has intentionally attempted to attract suppliers, for commercial gain, by creating a likelihood of confusion as to the source, sponsorship or affiliation of its emails with the Complainant and its British business.

The record shows that actual confusion has occurred as a result of the Respondent's actions, with two suppliers being initially deceived.

The evidence documents fraudulent email activity through September 24, 2026, shortly before the Complaint was filed. The MX records remained active on September 30, 2026, when the Complaint was filed. These circumstances further support the Panel's finding of bad-faith use.

That is why, the Panel finds that the disputed domain name has been registered and is being used in bad faith, to impersonate the Complainant's British business in order to obtain goods and credit from suppliers.

Accordingly, the third and final element of the Policy has been met.

**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 <lidlgbworks.com> be transferred to the Complainant.

*/Anton Polikarpov /*
**Anton Polikarpov**
Sole Panelist
Date: October 27, 2026