

ADMINISTRATIVE PANEL DECISION

Groupe Lactalis v. suresh willsonraj
Case No. DCO2025-0030

1. The Parties

The Complainant is Groupe Lactalis, France, represented by Nameshield, France.

The Respondent is suresh willsonraj, India.

2. The Domain Name and Registrar

The disputed domain name <lactalisgroup.co> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 21, 2025. On March 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 21, 2025, 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 (Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 26, 2025, 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 March 26, 2025.

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 March 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 22, 2025.

The Center appointed Miguel B. O’Farrell as the sole panelist in this matter on April 28, 2025. 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 and Legal Grounds

Founded in 1933, the Complainant is a French multi-national company, engaged in the food industry, particularly the dairy sector. The Complainant has traded under the name "Lactalis" since 1999.

The Complainant is one of the largest dairy products group in the world, with over 85,500 employees, 266 production sites, and a presence in over 51 different countries (see Annex 3 to the Complaint).

The Complainant owns several trademark registrations for LACTALIS, including the following:

European Union Trademark Registration No. 1529833 LACTALIS, registered on November 7, 2002;

International Trademark Registration No. 1135514 LACTALIS, registered on September 20, 2012;

European Union Trademark Registration No. 017959526 LACTALIS registered on May 22, 2019.

The Complainant is also the owner of a large domain names portfolio including the trademark LACTALIS, such as <lactalis.com> registered on January 9, 1999.

The disputed domain name was registered on March 12, 2025 and resolves to a parking page with commercial links. Also, MX ("Mail Exchange") servers are configured.

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.

The Respondent is not affiliated with nor authorized by the Complainant in any way. The Complainant has granted neither license nor authorization to the Respondent to make any use of the Complainant's trademarks, or apply for registration of the disputed domain name.

The disputed domain name points to a parking page with commercial links as shown in Annex 6 to the Complaint and past panels have found it is not a bona fide offering of goods or services or legitimate noncommercial or fair use.

The disputed domain name has been set up with MX records, as shown in Annex 7 to the Complaint which suggests that it may be actively used for email purposes. This is also indicative of bad faith registration and use because any email emanating from the disputed domain name could not be used for any good faith purpose.

Notably, the Complainant contends that the Respondent registered and uses the dispute domain name which is confusingly similar to its well known trademark LACTALIS for the purpose of confusing Internet consumers and lead them to think that the websites to which it resolves are somehow related to the Complainant and thereby profit from the reputation of the Complainant's mark.

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), section 1.7.

Although the addition of other terms here, "group" may bear on assessment of the second and third elements, the Panel finds 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 3.0](#), 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 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 3.0](#), 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 intentionally attempts to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark, many years after the Complainant registered and intensely used the mark.

The Panel is satisfied that the Respondent must have been aware of the Complainant's name and trademark LACTALIS when it registered the disputed domain name on March 12, 2025.

In accordance with section 3.1.4 of [WIPO Overview 3.0](#), the Panel considers that the inclusion of the Complainant's trademark LACTALIS and the word "group", which forms part of the Complainant's name, in the disputed domain name creates the presumption of bad faith registration.

The fact that there is a clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name is also a significant factor to consider that the disputed domain name was registered in bad faith (as stated in section 3.2.1 of [WIPO Overview 3.0](#)).

In the present case, the Panel notes that the Respondent has targeted the Complainant and its trademark LACTALIS and presumes that the Respondent has allowed the disputed domain name to be used with the intent to attract Internet users for commercial gain, by creating a likelihood of confusion with the Complainant's trademark as to the source, affiliation, or endorsement of the Respondent's website to which the disputed domain name resolves. Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith.

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 <lactalisgroup.co> be transferred to the Complainant

/Miguel B. O'Farrell/

Miguel B. O'Farrell

Sole Panelist

Date: May 7, 2025