

Panel Decision for dispute CAC-ADREU-008630

Case number	CAC-ADREU-008630
Time of filing	2024-07-16 14:41:54
Domain names	chocolateiseverything.eu

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)
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Complainant

Organization	Chocolate Company
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Complainant representative

Organization	NAMESHIELD S.A.S.
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Respondent

Name	Willy Wonka
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INSERT INFORMATION ABOUT OTHER LEGAL PROCEEDINGS THE PANEL IS AWARE OF WHICH ARE PENDING OR DECIDED AND WHICH RELATE TO THE DISPUTED DOMAIN NAME

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FACTUAL BACKGROUND

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A. COMPLAINANT

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B. RESPONDENT

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DISCUSSION AND FINDINGS

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DECISION

For all the foregoing reasons, in accordance with Paragraphs B12 (b) and (c) of the Rules, the Panel orders that the domain name chocolateiseverything.eu be transferred to the Complainant.

PANELISTS

Name	Alan Limbury
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Summary

ENGLISH SUMMARY OF THIS DECISION IS HEREBY ATTACHED AS ANNEX 1

- I. Disputed domain name: chocolateiseverything.eu
- II. Country of the Complainant: Belgium, country of the Respondent: United Kingdom
- III. Date of registration of the domain name: [XX Month XXXX]
- IV. Rights relied on by the Complainant (B(11)(f) ADR Rules) on which the Panel based its decision:

1. [word/combined/figurative] trademark registered in [country], reg. No. [number], for the term [term], filed on [XX Month XXXX], registered on [XX Month XXXX] in respect of goods and services in classes [numbers]

2. [word/combined/figurative] trademark registered in [country], reg. No. [number], for the term [term], filed on [XX Month XXXX], registered on [XX Month XXXX] in respect of goods and services in classes [numbers]

3. [word/combined/figurative] CTM, reg. No. [number], for the term [term], filed on [XX Month XXXX], registered on [XX Month XXXX] in respect of goods and services in classes [numbers]

4. [word/combined/figurative] CTM, reg. No. [number], for the term [term], filed on [XX Month XXXX], registered on [XX Month XXXX] in respect of goods and services in classes [numbers]

5. geographical indication:

6. designation of origin:

7. unregistered trademark:

8. business identifier:

9. company name:

10. family name:

11. title of protected literary or artistic work:

12. other:
- V. Response submitted: [Yes/No]
- VI. Domain name/s is/are [identical/confusingly similar/neither identical nor confusingly similar] to the protected right/s of the Complainant
- VII. Rights or legitimate interests of the Respondent (B(11)(f) ADR Rules):

1. [Yes/No]

2. Why:
- VIII. Bad faith of the Respondent (B(11)(e) ADR Rules):

1. [Yes/No]

2. Why:
- IX. Other substantial facts the Panel considers relevant:
- X. Dispute Result: [Transfer of the disputed domain name/s/Revocation of the disputed domain name/s/Complaint denied]
- XI. Procedural factors the Panel considers relevant:
- XII. [If transfer to Complainant] Is Complainant eligible? Yes