

ADMINISTRATIVE PANEL DECISION

The Kraft Heinz Company v. feng sui
Case No. D2025-2453

1. The Parties

The Complainant is The Kraft Heinz Company, United States of America ("United States"), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is feng sui, Cambodia.

2. The Domain Name and Registrar

The disputed domain name <maxwellhousecoffees.com> is registered with Gname.com Pte. Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 20, 2025. On June 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 24, 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 (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 24, 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 June 24, 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 June 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 17, 2025.

The Center appointed Torsten Bettinger as the sole panelist in this matter on July 21, 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 Background

The Complainant is a multinational food and beverage company formed in 2015 through the merger of Kraft Foods Group, Inc. and H.J. Heinz Company. The Complainant is co-headquartered in Chicago, Illinois, and Pittsburgh, Pennsylvania. Through its subsidiary Kraft Foods Group Brands LLC, the Complainant owns numerous trademark registrations for MAXWELL HOUSE across several jurisdictions.

The Complainant has provided extracts of the following trademark registrations for MAXWELL HOUSE:

- MAXWELL HOUSE, United States Trademark Registration No. 599153, registered on December 7, 1954, in class 30
- MAXWELL HOUSE, United States Trademark Registration No. 4203390, registered on September 4, 2012, in class 30;
- MAXWELL HOUSE, Canada Trademark Registration No. TMA615587, registered on July 23, 2004 in class 30;
- MAXWELL HOUSE, Trinidad & Tobago Trademark Registration No. 35000052, registered on December 19, 1935, in classes 01, 02, 03, 05, 29, 30, 31, 32;
- MAXWELL HOUSE, Brazil Trademark Registration No. 006038280, registered on February 10, 1975, in class 30.

The Complainant states that the MAXWELL HOUSE brand has been in use for over 125 years and is recognized as one of the Complainant's most prominent product lines. The brand is used in connection with coffee and related products, primarily in International Class 30.

The Complainant promotes and sells its MAXWELL HOUSE products via its primary website at "www.kraftheinz.com", including a dedicated brand section at "www.kraftheinz.com/maxwell-house".

The Complainant also owns the domain name <maxwellhouse.com>, which redirects to its main corporate site.

The disputed domain name redirects users to various rotating third-party websites, including gambling-related sites and other unrelated commercial pages.

The Complainant sent a cease-and-desist letter to the Respondent prior to the filing of the Complaint. The Respondent did not to reply to this letter.

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 it is the owner of registered trademark rights in MAXWELL HOUSE in multiple jurisdictions. The Complainant asserts that it has invested significant resources in advertising and protecting the MAXWELL HOUSE brand and that the MAXWELL HOUSE enjoys substantial goodwill and distinctiveness worldwide.

With regard to the requirement of “identity or confusing similarity between the trademark and the domain name” pursuant to paragraph 4(a)(i) of the Policy, the Complainant submits that,

- the disputed domain name incorporates its MAXWELL HOUSE trademark in its entirety, with the mere addition of the generic term “coffees” which directly relates to its well-known coffee brand;
- the applicable Top-Level Domain (“.com”) is disregarded in assessing similarity
- where a domain name consists of a complainant’s trademark plus a term closely associated with its business, such combination reinforces—rather than reduces—the likelihood of confusion.

With regard to the Respondent having no rights or legitimate interests in the disputed domain name, the Complainant submitted that,

- the Respondent is not affiliated with, sponsored by, or authorized by the Complainant to use the MAXWELL HOUSE trademark in any form, including in a domain name;
- Respondent is not commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy;
- the Whols information was initially redacted, and the confirmed registrant name “feng sui” bears no resemblance to the disputed domain name and that is no evidence suggesting that the Respondent has ever been known by or operated under the disputed domain name;
- the disputed domain name was registered long after the Complainant had established substantial goodwill and trademark rights in MAXWELL HOUSE, including the registration of <maxwellhouse.com> in 1995;
- the disputed domain name, incorporating the Complainant’s mark in its entirety, misleadingly suggests sponsorship or affiliation;
- the disputed domain name redirects users to various rotating third-party websites, including gambling-related sites and other unrelated commercial pages;
- the Respondent’s use of the disputed domain name exploits the goodwill in its trademark and misleads consumers;
- redirection of the disputed domain name to gambling or unrelated commercial content does not give rise to rights or legitimate interests under the Policy.

Finally, with regard to the disputed domain name having been registered and being used in bad faith, the Complainant argues that,

- its MAXWELL HOUSE trademark is internationally well known, with registrations across multiple jurisdictions and continuous use for over 125 years;
- as the disputed domain name incorporates the MAXWELL HOUSE mark in its entirety, along with the term “coffees”, which directly relates to Complainant’s business the Respondent must have had knowledge of the Complainant’s rights and reputation at the time of registration;
- Respondent’s use of the domain name to redirect users to third-party websites, including gambling sites and unrelated commercial offerings, evidences an intent to mislead and divert internet traffic for commercial gain;
- Respondent has engaged in a pattern of registering domain names incorporating well-known trademarks, including domain names related to Armani, Hermes, Michael Kors, Nike, and Viagra and that all of these registrations are linked to the same email address used by the Respondent in this case, supporting a finding of serial cybersquatting;
- Respondent’s failure to respond to a cease-and-desist letter sent by the Complainant prior to the filing of the Complaint has been recognized as a supporting factor in bad faith findings;
- there is no plausible good-faith explanation for the Respondent’s registration and use of a domain name so obviously connected with Complainant’s well-known brand; this indicates that Respondent registered and used the disputed domain name with the Complainant’s trademark in mind, in order to confuse users and capitalize on the Complainant’s goodwill.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy states that the Complainant must prove each of the three following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (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.

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.

Although the addition of other terms here, "coffees", 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.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel therefore 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.

Based on the record, the Complainant asserts without contradiction by the Respondent that the disputed domain name does not resolve to a genuine website operated by the Respondent. Instead, the disputed domain name redirects Internet users to various rotating third-party websites, including gambling-related websites, and other unrelated commercial pages, which are in no way affiliated with the Complainant or its trademark.

Numerous UDRP panels have found that redirecting domain names to monetized websites containing third-party ads or unrelated content does not constitute a legitimate interest, especially when the domain name incorporates a third-party trademark. Rather, the redirection to gambling and unrelated sites suggests that the Respondent is exploiting the Complainant's mark to attract users based on confusion with the Complainant's trademark, and generate advertising revenue or other commercial benefits by misleading users into visiting sites that have no connection to the Complainant.

The Panel therefore 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 Complainant provided evidence of multiple trademark registrations for the MAXWELL HOUSE mark that predate the registration of the disputed domain name.

In light of the extensive use of the Complainant's MAXWELL HOUSE trademark and the fact that the disputed domain name contains the Complainant's trademark in its entirety in combination with term "coffees", which directly relates to Complainant's business, the Panel has no doubt that the Respondent was aware of the Complainant and the Complainant's trademark rights when registering the disputed domain name.

The Panel therefore concludes that the Respondent registered the disputed domain name in bad faith.

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 3.0](#), section 3.2.1.

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 disputed domain name does not resolve to a site affiliated with the Complainant or any legitimate business. Instead, it automatically redirects users to various third-party websites, including gambling-related content, and unrelated commercial landing pages, likely part of a monetization scheme.

This behavior supports a finding of bad faith for several reasons: It misleads consumers into visiting third-party sites under the false impression of a connection to the Complainant. It demonstrates an intent to capitalize on consumer confusion for commercial gain. The use of the Complainant's mark in connection with gambling websites risks tarnishing the Complainant's reputation and brand.

Panels have consistently found that redirecting users to various third-party websites constitutes bad faith use of a domain name. [WIPO Overview 3.0](#), section 3.1.4. Such redirection demonstrates an intent to exploit the reputation of the Complainant's trademark and to disrupt the Complainant's business.

In addition to constituting general bad faith, this type of conduct squarely falls within the scope of Paragraph 4(b)(iv) of the UDRP, which provides that bad faith is established where “by using the domain name, [the respondent] has intentionally attempted to attract, for commercial gain, Internet users to [its] website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or of a product or service on [the respondent's] website.”

Finally, Panels have consistently held that the registration of multiple domain names incorporating third-party trademarks is indicative of a pattern of abusive conduct and supports a finding of bad faith. In the present case, the Complainant provided evidence showing that the Respondent has been linked - through the use of the same email address - to a series of domain names incorporating famous trademarks. This pattern of targeting well-known brands demonstrates that the Respondent is engaged in serial cybersquatting, a recognized indicator of bad faith under 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 <maxwellhousecoffees.com> be transferred to the Complainant.

/Torsten Bettinger/

Torsten Bettinger

Sole Panelist

Date: August 11, 2025