

ADMINISTRATIVE PANEL DECISION

Dave's Hot Chicken Franchise Co., LLC v. Mohammad Ishaque
Case No. D2026-0282

1. The Parties

The Complainant is Dave's Hot Chicken Franchise Co., LLC, United States of America ("United States"), represented by Greenberg Traurig, LLP, United States.

The Respondent is Mohammad Ishaque, India.

2. The Domain Name and Registrar

The disputed domain name <daveschickenmenu.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 23, 2026. On January 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 27, 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 (Domain Admin) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 29, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Respondent sent an informal email communication to the Center on February 2, 2026. The Complainant filed an amended Complaint on February 17, 2026.

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 February 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 10, 2026. The Response was filed with the Center on March 9, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on March 16, 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 Complainant submitted an unsolicited supplemental filing on March 17, 2026, to which further reference is made below.

4. Factual Background

The Complainant operates a fried chicken restaurant chain. It was founded in Los Angeles in 2017 and currently comprises over 250 restaurants in the United States, the United Kingdom, Canada, Qatar and Saudi Arabia.

The Complainant is the owner of numerous trademark registrations for the mark DAVE'S HOT CHICKEN. Those registrations include, for example:

- United States trademark registration number 5561164 for the word mark DAVE'S HOT CHICKEN, registered on September 11, 2018;
- United States trademark registration number 6721972 for a combined mark DAVE'S HOT CHICKEN EST 2017. HOLLYWOOD BLVD as represented below (the chicken image being coloured yellow and red) (the "Complainant's Logo"), registered on May 24, 2022;



- International trademark registration number 1643871 for the word mark DAVE'S HOT CHICKEN, registered on December 14, 2021 and designating nine countries including India.

The Complainant operates a website at "www.daveshotchicken.com". The website includes the Complainant's Logo both as a favicon and elsewhere within its content.

The disputed domain name was registered on August 15, 2025.

The disputed domain name has resolved to a website headed "Daves Chicken Menu Guide & Items List With Prices & Locations", providing information about the Complainant's restaurants, menu items and associated services.

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 Complainant submits that the disputed domain name is confusingly similar to its DAVE'S HOT CHICKEN trademark. It contends, in particular, that the removal of the word "hot", and the addition of the word "menu", do not result in the disputed domain name being distinct from the trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has never licensed or authorized the Respondent to use its DAVE'S HOT CHICKEN trademarks, that the Respondent has not commonly been known by the disputed domain name, and that the Respondent is making neither bona fide commercial use, nor legitimate noncommercial or fair use, of the disputed domain name.

The Complainant contends in particular that, insofar as the Respondent's website is presented as a fan or tribute site, it is in reality an impersonation of the Complainant's website, intended to mislead Internet users into believing it is operated by, or otherwise legitimately affiliated with, the Complainant.

The Complainant submits that the disputed domain name is in itself misleading, as being highly similar to the Complainant's trademark and URL "www.daveshotchicken.com", but including no term such as "fan" or "fans" which would identify it as being independent of the Complainant. The Complainant contends that the disputed domain name itself therefore carries a high risk of implied affiliation.

The Complainant also highlights the following matters pertaining to the Respondent's website:

- It copies the "look and feel" of the Complainant's website, including the Complainant's red, black and white colour scheme.
- It is headed with four navigational links, "MENU", "LOCATIONS", "REWARDS", and "ABOUT", which replicate those same headings on the Complainant's website.
- Its browser tab employs the Complainant's Logo as a favicon in the same manner as the Complainant's website.
- It makes repeated use of the term "our", including "Join our Rewards Program", "Sign up through our mobile app...", "Our customer service team is here to help", and "Our Story & Mission", all of which give the clear impression that the website is operated by the Complainant.
- While it features three disclaimers stating that it is an independent fan resource, these are obscurely located and unlikely to come to the attention of visitors to the website. These disclaimers should therefore be assumed to be self-serving pretexts, designed to avoid the Complainant's enforcement efforts.
- The website's HTML code includes metatags making direct reference to the Complainant, as well as links to the Complainant's social media profiles, in order to influence search engine behaviour and the content of search result previews.

The Complainant adds that the "Contact Us" page of the Respondent's website encourages visitors to "Get in Touch with Dave's Chicken Menu" for purposes including "Partnership or collaboration ideas (e.g. fitness influencers, spicy challenge events, vegan-friendly features)", and provides an email address for that purpose. The Complainant submits that such partnership or collaboration ideas would potentially be revenue-generating, and also that the Respondent is able to capture email addresses and other potentially sensitive information sent to the email address provided.

The Complainant contends that the disputed domain name was registered and has been used in bad faith. It repeats that the Respondent does not host a genuine fan site, but instead a website that creates a false affiliation with the Complainant. It contends that the contents of the Respondent's website evidences a clear intention to target the Complainant's trademark, and that the Respondent's non-prominent disclaimers support rather than detract from a finding of bad faith.

The Complainant provides evidence that, on October 21, 2025, the Complainant emailed the Respondent at the email address provided on its website, demanding that the Respondent take down its website and transfer the disputed domain name to the Complainant. The Complainant states that the Respondent made no reply to this communication. The Complainant also exhibits the informal communication from the

Respondent to the Center dated February 2, 2026, together with an email dated February 5, 2026 which the Complainant sent to the Respondent by way of response, repeating its claims and demands. It states that the Respondent also did not reply to that communication.

B. Respondent

The Respondent submits that he registered the domain name with the intention of creating an informational website providing general reference material about publicly available menu items and categories related to the Complainant's restaurant brand. He states that the website does not sell products, process orders, or claim to be the official website of the brand. He contends that the purpose of the website has always been to provide a menu guide and informational overview for users searching online for menu items, meal combinations, sides, drinks, shakes, and related information. He adds that the website simply organizes publicly available information about menu categories, and that the intention is to help visitors understand menu options before visiting a restaurant location.

The Respondent denies that his website has ever sought to impersonate the Complainant or to seek in any way to exploit the Complainant's trademark or business. He states that he fully appreciates the importance of trademark rights in preventing consumer confusion.

The Respondent states that, after receiving the Complaint in this proceeding, he adjusted the website content to provide more prominent disclaimers, to simplify the website structure and by "removing elements that could potentially cause confusion". He contends that these voluntary actions demonstrate his good faith in the matter.

6. Complainant's Unsolicited Supplemental Filing

The Complainant's unsolicited supplemental filing addresses two matters. First, it provides evidence to suggest that the Response may have been AI-generated, and submits that such action is designed to frustrate the proceedings and is a further indication of bad faith. Secondly, the Complainant makes submissions concerning the Respondent's changes to its website following its receipt of the Complaint.

The use of AI by parties in preparing submissions under the UDRP is referred to in section 4.2 of WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), which states:

"In cases where arguments and/or evidence presented to the panel is created with the assistance of AI tools, the credibility of such arguments/evidence may be impacted by the inclusion (e.g., in an annex) by the parties of specific prompts and their results."

While parties should generally be free to formulate their submissions in such a way as they see fit, the mischief to which the above commentary is directed is that AI-generated material may contain hallucinated facts, legal arguments, or case citations, which may not be accurate nor verified by the presenting party. The Panel does not, however, consider this to pose a significant risk in the present case, in which the Respondent's arguments are straightforward, predictable, and based on facts which are self-evident.

With regard to the Complainant's further unsolicited submissions, the Panel does not consider it necessary or appropriate to consider the Complainant's observations on the Respondent's changes to its website following its receipt of the Complaint.

In light of the Panel's conclusions on both aspects of the Complainant's unsolicited supplemental filing, the Panel finds it unnecessary to invite the Respondent's comments on that filing.

7. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (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.

A. Identical or Confusingly Similar

The Complainant has demonstrated that it is the owner of registered trademark rights in the mark DAVE'S HOT CHICKEN. [WIPO Overview 3.1](#), section 1.2.1. The disputed domain name effectively incorporates that trademark, but for the omission of the word "hot" and the addition of the term "menu" in the disputed domain name. Neither of these differences prevent the Complainant's trademark from being recognizable within the disputed domain name, and the Panel therefore finds that the first element under the Policy is satisfied.

B. Rights or Legitimate Interests

The Respondent claims to use the disputed domain name for the purpose of an informational website, without any intention to impersonate the Complainant or to benefit from its trademark rights.

Under paragraph 4(c)(iii) of the Policy, a respondent may demonstrate rights or legitimate interests in respect of a domain name where it is "making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue."

[WIPO Overview 3.1](#), section 2.7 contains commentary upon this issue, touching upon both the nature of the domain name itself, and the wider question of whether the respondent's website constitutes a genuine fan or informational site, or appears alternatively to be a pretext for cybersquatting. It comments specifically that "a respondent's fan or informational site must be active, genuine, and clearly distinct from any official complainant site."

Turning first to the disputed domain name itself, this comprises the Complainant's trademark (minus the word "hot") together with the additional term "menu". While the inclusion in a domain name of a term such as "fan" or "review" may assist in indicating independence from the trademark owner, the Panel is not of the view that the term "menu" is indicative of an independent fan or informational site in this case, and considers, on the contrary, that members of the public would be at least as likely to view the disputed domain name as indicating a page provided by the Complainant itself to promote its menu items.

The Panel also accepts the Complainant's submissions that the contents of the Respondent's website (at least prior to the changes made following the Respondent's receipt of the Complaint) were misleading and would have confused members of the public as to the provenance of the website in question. While the similarity between the "look and feel" and structure of the two websites, including the navigational links, is notable, the Panel is particularly struck by the Respondent's repeated adoption of the words "our" or "us" and the related content pertaining to the Complainant, which would inevitably give the impression that the website is legitimately affiliated with, if not directly controlled by, the Complainant. The website includes, for example, several pages under the heading "Join our Rewards Program", which continues "Earn points, unlock rewards, and enjoy exclusive perks every time you dine with us!" and which clearly gives the impression of constituting the Complainant's content.

The Panel also finds that such disclaimers as originally appeared on the Respondent's website lacked prominence, observing also that, regardless of the presence of disclaimers, Internet users are likely to have been attracted to the website in the first place in the mistaken belief that it was legitimately affiliated with the Complainant. The Panel also notes the Complainant's submissions concerning the Respondent's metatags (which the Respondent does not dispute) which, together with the nature of the domain name itself, are likely to have influenced Internet searches directed to the Complainant's official website.

The Panel observes that, while there appears to be no overtly commercial purpose to the Respondent's website (save for raising the possibility of "partnerships"), that website may still be detrimental to the Complainant and its trademark to the extent that it gives the false impression of being owned or operated by, or otherwise legitimately affiliated with, the Complainant. The Complainant is entitled to autonomy and agency over its online content, which is denied by a website that misrepresents itself in the manner that is evident in this case.

While the Respondent's website may purport to provide a noncommercial informational resource (and there is no submission that the information which it provides about the Complainant's products and services is factually incorrect), the Respondent cannot establish rights or legitimate interests in either a domain name which is inherently misleading, or a website which is likely to confuse Internet users in the manner described above. The Panel therefore finds that the second element under the Policy is established.

C. Registered and Used in Bad Faith

For similar reasons as set out above, the Panel finds that the disputed domain name was registered and is being used in bad faith. There can be no dispute that the Respondent selected the disputed domain name with knowledge of the Complainant and with the intention of referring to its business. Moreover, by using the disputed domain name for the purpose of the website described above, the Respondent is likely to have confused Internet users into believing that the website must be owned or operated by, or otherwise legitimately affiliated with, the Complainant, which causes an unfair detriment to the Complainant. See, [WIPO Overview 3.1](#), section 3.3.

The Panel also notes that the Respondent did not respond to the Complainant's pre-action communication dated October 21, 2025 and made alterations to his website only after receipt of the Complaint in this proceeding. Moreover, the Respondent's failure to reply to correspondence, and action only after receipt of the Complaint, contribute to an overall impression of bad faith.

The Panel therefore finds that the third element under the Policy is established.

8. 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 <daveschickenmenu.com> be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: March 30, 2026