

## **ADMINISTRATIVE PANEL DECISION**

McDonald's Corporation v. Eburg City  
Case No. D2025-4097

### **1. The Parties**

The Complainant is McDonald's Corporation, United States of America ("United States"), represented by Neal, Gerber & Eisenberg LLP, United States.

The Respondent is Eburg City, United States.

### **2. The Domain Name and Registrar**

The disputed domain name <ukmcdonalds.com> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 7, 2025. On October 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 9, 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 ("Privacy Service Provided by Withheld for Privacy ehf") and contact information in the Complaint. The Center sent an email communication to the Complainant on October 9, 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 October 14, 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 October 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 8, 2025. The Respondent sent email communications to the Center on October 23, November 7, and 9, 2025.

The Center appointed Evan D. Brown as the sole panelist in this matter on November 12, 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 in the business of developing, operating, franchising, and servicing an extensive system of restaurants. It owns the trademark MCDONALD'S, for which it enjoys the benefits of registration in many jurisdictions around the world, including the United States (e.g., Reg. No. 0743572, registered on January 8, 1963).

The Complainant uses the domain name <mcdonalds.com> for its business purposes. The Complainant has also established and assigned more specific email addresses for its employees, executives, and certain business partners based on their geographic location and organizational structure. For example, all of the Complainant's employees and executives in the United Kingdom have email addresses ending in "@uk.mcd.com".

According to the Whois records, the disputed domain name was registered on April 27, 2025. The Complainant asserts that the Respondent has used the disputed domain name to intercept misdirected confidential email communications intended for the Complainant's employees and franchisees, and to resolve to a "gripe site" against the city of Ellensburg and Kittitas County in the state of Washington, United States.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademark; that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the disputed domain name was registered and is being used in bad faith.

##### **B. Respondent**

The Respondent did not formally respond to the Complainant's contentions. However, the Respondent submitted three email communications to the Center.

The essence of the Respondent's email communication on October 23, 2025 dealt with its objection to the Complainant's submission to the jurisdiction of the United States District Court in Arizona (in accordance with the requirements of the Rules, paragraph 3(b)(xii)) and seemed to express a preference for state court. It also objected to the timing of the proceedings and stated a need for more time to respond and potentially obtain legal counsel and stated other various critiques of the Complainant and these proceedings.

The Respondent's communication on November 7, 2025 was principally a request for the identity of the Panelist, an extension of time to respond after such disclosure, and a request for clarification on the response deadline, including how it applies across time zones.

The Respondent's communication of November 9, 2025, among others, referred to a prior dispute between the Parties involving a different domain name, reiterated its previous request for additional time to file a response in the proceedings and referred to the Complainant's allegations as false. It further stated that the disputed domain name was registered "for a gripe site protected by the First Amendment (with a disclaimer)" and "for research and educational purposes". The Respondent continued to claim that "There was no bad faith by Respondent and Respondent has done nothing but good for McDonald's Corp., at his own time and

expense, by continuing to explain the problem to McDonald's Corp, and preventing bad actors from obtaining the domain names for nefarious purposes", while also referring to a seemingly misdirected email from a customer of the Complainant.

## **6. Preliminary matters**

The Panel notes the Respondent's multiple requests for an extension of the deadline to file its response, without however, providing any arguments for such request. In the absence of a justification for the requests and noting the parties' prior history of multiple domain name disputes, the Panel rejects the Respondent's request for additional time to file a Response.

## **7. Discussion and Findings**

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (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. The Panel finds that all three of these elements have been met in this case.

### **A. Identical or Confusingly Similar**

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7. The Complainant has demonstrated its rights in the MCDONALD'S mark by providing evidence of its longstanding trademark registrations. See [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name incorporates the MCDONALD'S mark with the added prefix "uk", and with the omission of the apostrophe before the "s" in the Complainant's mark, which does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's MCDONALD'S mark. See [WIPO Overview 3.0](#), section 1.8. The MCDONALD'S mark remains recognizable for a showing of confusing similarity under the Policy.

The Panel finds that the Complainant has established this first element under the Policy.

### **B. Rights or Legitimate Interests**

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If the Complainant makes that showing, the burden of production shifts to the Respondent. See [WIPO Overview 3.0](#), section 2.1; *AXA SA v. Huade Wang*, WIPO Case No. [D2022-1289](#).

On this point, the Complainant asserts, among other things, that: (1) the Respondent has never been known by the disputed domain name but instead, the Respondent is an individual with no affiliation with the Complainant; (2) the Respondent has made no demonstrable preparations to use the disputed domain name in connection with any bona fide offering of goods or services; and (3) the Respondent has used the disputed domain name to intercept misdirected communications intended for the Complainant, which is not a legitimate noncommercial or fair use under the Policy.

The fact that the website at the disputed domain name redirects to a gripe site also does not give the Respondent rights or legitimate interests. Pursuant to the Policy at paragraph 4(c)(iii), noncommercial or fair use must be done "without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue". However, if "based on the record and on a balance of probabilities, that the purported criticism site is merely a pretext to mask other motives" such use does not establish rights or

legitimate interest in a disputed domain name. *Spectrum Pharmaceuticals, Inc. v. Registration Private / David Whaley*, WIPO Case No. [D2014-1376](#). The Respondent's email communication of November 9, 2025, indicated, inter alia, that the disputed domain name "registered for a gripe site protected by the First Amendment (with a disclaimer) as indicated in the past communications, and also for research and educational purposes, and currently is pointed to a website created many years ago to see how many hits it gets from this worthless domain name", which supports a finding that the gripe website is pretextual. The Panel further notes that the Respondent's claim of registration for "research and educational purposes" is completely unsupported and that the website at the disputed domain name does not appear to contain any disclaimer as alleged by the Respondent. Moreover, the Panel notes the composition of the disputed domain name, which reproduces the Complainant's well-known and distinctive trademark almost entirely with the prefix "uk", is not indicative of any criticism of the Complainant, nor does the website use show any criticism related to the Complainant or rationale for registering a domain name corresponding to the Complainant's trademark. Taking into account all the circumstances of the present dispute, the Panel finds that the alleged criticism use is pretextual and does not support a finding of rights or legitimate interests for the purposes of the Policy.

The Panel finds that the Complainant has made the required prima facie showing. The Respondent has not rebutted this showing.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

### **C. Bad Faith Registration and Use**

The Policy requires a complainant to establish that the disputed domain name was registered and is being used in bad faith.

Based on the record, it is clear that the Respondent has targeted the Complainant and its well-known MCDONALD'S mark. The Complainant has credibly asserted that the Respondent registered the disputed domain name with the intent to continue a pattern of conduct aimed at intercepting misdirected confidential emails intended for the Complainant's employees and franchisees. Such conduct has been the subject of multiple prior UDRP proceedings and federal court cases involving the same parties.

The Complainant has asserted – without contradiction from the Respondent – that the Respondent has used the disputed domain name to receive confidential communications and has subsequently contacted the Complainant's executives, attaching such intercepted emails. This conduct is emblematic of bad faith registration and use.

The Panel finds that the Complainant has established this third element 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 <ukmcdonalds.com> be transferred to the Complainant.

/Evan D. Brown/

**Evan D. Brown**

Sole Panelist

Date: November 26, 2025