

ADMINISTRATIVE PANEL DECISION

Wagamama Limited v. menuprices uk, menu bar
Case No. D2025-4445

1. The Parties

The Complainant is Wagamama Limited, United Kingdom, represented by Charles Russell Speechlys LLP, United Kingdom.

The Respondent is menuprices uk, menu bar, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <wagamamamenuprice.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 28, 2025. On October 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 29, 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, 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 31, 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 amendment to the Complaint on November 4, 2025.

The Center verified that the Complaint together with the amendment to the 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 November 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 25, 2025. The Respondent sent email communications to the Center on November 10, 2025, and November 28, 2025.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on December 5, 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 company incorporated in 1992 under the laws of England and Wales and headquartered in London, United Kingdom. Since 1992 the Complainant has operated WAGAMAMA pan-Asian restaurants, first opening in London and now comprising a chain of more than 220 restaurants in more than 15 countries in Europe, North America, the Middle East, and Asia, as well as in the United Kingdom. The Complainant operates a website at “www.wagamama.com” (since 1995) with linked social media sites.

The Complainant holds numerous WAGAMAMA trademark registrations, including the following:

Mark	Jurisdiction	Reg. Number	Reg. Date	International Class
WAGAMAMA (word)	United Kingdom	UK00900810010	July 18, 2000	29, 30, 31, 32, 33, and 42
WAGAMAMA (word)	United Kingdom	UK00903102233	April 18, 2005	35, 38, and 43
WAGAMAMA (word)	European Union	003102233	April 18, 2005	35, 38, and 43

The disputed domain name was created on February 14, 2025, and is registered to the Respondent, named only as “menuprices uk”, listing the organization as “menu bar” with a postal address in Pakistan and a Gmail contact email address.

A screenshot of the website to which the disputed domain name resolved when the Complaint was filed shows an English-language “Wagamama” website (the “Respondent’s Former Website”) with photos of menu dishes and prices, some copied directly from the Complainant’s website. The website also included third-party commercial advertisements. The website operator was not identified. The Panel has also independently verified via Internet archives that in August 2025 the website featured a “Disclaimer” at the end of the site which read as follows:

“This website is independent of wagamamenu and its affiliates and is not endorsed by or affiliated with them. www.wagamamamenuprice.com is simply a help guide to cover topics like Menu and Recipes of the particular restaurant. Having said this, this website is in no way affiliated to the official brand or website of Wagamama. Any content used on this website is simply aggregated from the public domain information available on the internet. Users coming to this website has sole responsibility of consuming the content present on this website. please visit the official Wagamama website.”

The Complainant sent a cease-and-desist letter by email in May 2025 and demanded transfer of the disputed domain name. The Respondent ultimately agreed to remove some brand images from its website and images copied from the Complainant’s website, as well as making changes to the Disclaimer (although its responses appear to be at least partly AI-generated), but the Respondent did not agree to transfer the disputed domain name.

At the time of this Decision, the disputed domain name redirects to a website at “www.wagamenu.food” (the “Respondent’s Redirect Website”) with similar content, including “Wagamama Menu and Prices” at the head and the message “Welcome to Wagamama Menu – a restaurant inspired by Japanese and Asian cuisine. Established in 1992 ...” Photos, videos, and descriptions of dishes are still similar to those found on the Complainant’s website and social media sites, as is the “About Wagamama” section. The Respondent’s Redirect Website has the same disclaimer at the bottom of the final page as found in the earlier website, and the redirect site also does not identify the website operator.

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 the disputed domain name is confusingly similar to its WAGAMAMA mark, incorporating it in its entirety without license. The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name because it is copying the Complainant's mark and content, misleading consumers rather than conducting a bona fide business or legitimate noncommercial or fair use. The Complainant assumes that the Respondent is actually offering similar products and services and therefore acting in bad faith to misdirect consumers to its website for commercial gain, disrupting the business of a competitor, and preventing the Complainant from registering a domain name corresponding to its mark.

B. Respondent

The Respondent did not reply substantively to the Complainant's contentions. In emails to the Center, the Respondent said, "Yes i want a domain redirect new domain" and "i have domain redirect another domain", presumably referring to the Respondent's Redirect Site at "www.wagamenu.food".

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 (the registered WAGAMAMA word 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, "menu" and "price") may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 Complainant assumes that the Respondent's Former Website functioned as part of an actual (illegitimate) commercial offering, but the Panel finds no evidence of this in the screenshots included in the record. These pages do not show that the former website had the capacity to take orders or payments for a business operated by the Respondent (although the Panel notes that website did contain a button "Online Order", it remains unclear where that link led). Instead, like the Respondent's Redirect Website, at most they could collect information and link to the Complainant's website. This does not qualify as evidence of use or demonstrable preparations for use in connection with a bona fide commercial offering, however (Policy, paragraph 4(c)(i)), and there is no indication that the Respondent has been commonly known by a corresponding name (paragraph 4(c)(ii)). The Disclaimer on the Respondent's Former and Redirect Websites claims legitimate use, in effect, as a noncommercial informational site simply providing helpful and current information about the Complainant's menu and prices (see Policy, paragraph 4(c)(iii)). But the Panel does not find this assertion credible. The composition of the disputed domain name is ambiguous in this regard, as opposed to a name including, for example, "reviews" or "fans", which would more clearly distinguish the disputed domain name from one likely to be sponsored by the trademark holder itself. Here, despite the trailing Disclaimer, the associated websites have been highly imitative of the Complainant's website and strongly give the impression of affiliation with the Complainant, rather than being "clearly distinct from any official complainant site" (see [WIPO Overview 3.0](#), section 2.7 addressing "fan sites"). Moreover, the Panel notes that the screenshots included by the Complainant in its cease and desist letter to the Respondent show that the Respondent's Former Website contained the language such as "At Wagamama, we use...". Thus, the Panel does not find that the disputed domain name represents a legitimate, nominative fair use of the Complainant's trademark.

Moreover, panels have held that the use of a domain name for illegitimate or illegal activity such as passing off, impersonation, or phishing can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. The Complainant asserts that this is the case here, with the highly imitative website featuring the Complainant's marks and content and presumed collection of personal data, and the Panel notes in addition that the Respondent's site featured commercial third-party ads.

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 was clearly aware of the Complainant and its mark, copying the Complainant's mark and website and social media content, including an "About Wagamama" description similar to that on the Complainant's website.

The Complainant has treated the Respondent's Former Website as evidence of an effort to misdirect Internet users for commercial gain, disrupt the Complainant's business, and deprive the Complainant of a domain name corresponding to its mark (examples of bad faith under the Policy, paragraphs 4(b)(iv), (iii), and (ii), respectively). As mentioned above, the Panel does not find evidence that the Respondent was actually

using the former site, or is using the redirect site, to promote a competing United Kingdom catering business as the Complainant supposes.

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 Disclaimers on the Respondent's Former and Redirect Websites suggest that they were intended only for informational purposes, but as discussed in the previous section the Panel does not find this credible.

Panels have held that the use of a domain name for illegitimate or illegal activity, here claimed to involve passing off, impersonation, or phishing, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. The Complainant points out that branding the website pages with its mark and descriptions of its products or close approximations, while including incorrect information (about prices and allergens, for example), is both dangerous to consumers and tarnishes the Complainant's reputation. The Respondent's sites appear to be sponsored by the Complainant. Moreover, the sites likely collect personal data. Beyond browsing data used for advertising purposes, the Panel notes that the Respondent's Redirect Website links to the Complainant's website, such as connecting to the Complainant's website to place an order online. There is no express notice that this is an external link, it is not done with the Complainant's permission, and it is not clear whether the order and payment process also allows the Respondent's site to collect the user's order and payment information.

The Panel notes as well that the Respondent's failure to identify its true identity, both in the registration of the disputed domain name and on the two websites associated with the disputed domain name, lend support to an inference of bad faith, as does the Respondent's failure to file a substantive Response in these proceedings.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <wagamamamenuprice.com> be transferred to the Complainant.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: December 18, 2025