ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Spur Corporation Limited v. Nadim Mahmud, NextGent, Samia Yaqoob, Munna Ahmed
Case No. D2026-0874

1. The Parties

The Complainant is Spur Corporation Limited, South Africa, represented by Spoor & Fisher, South Africa.

The Respondents are Nadim Mahmud, NextGent, Bangladesh; Samia Yaqoob, Portugal; and Munna Ahmed, Bangladesh.

2. The Domain Names and Registrars

The disputed domain name <spur-menu.com> is registered with Hostinger Operations, UAB.

The disputed domain name <spurmenu.com> is registered with Dynadot Inc

The disputed domain name <spurmenucoza.com> is registered with Name.com, Inc. (together with Hostinger Operations, UAB and Dynadot Inc., the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 27, 2026. On February 27, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On February 27, 2026, February 28, 2026, and March 2, 2026, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot / Redacted for Privacy / The RDAP server redacted the value) and contact information in the Complaint.

The Center sent an email communication to the Complainant on March 2, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on March 2, 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 Respondents of the Complaint, and the proceedings commenced on March 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 26, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondent's default on March 27, 2026.

The Center appointed Zoltán Takács as the sole panelist in this matter on April 2, 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.

4. Factual Background

Founded in 1967 the Complainant is one of South Africa's largest and most successful casual-dining restaurant chains.

The Complainant has over 340 SPUR restaurant outlets in the Middle East, Australia, and various parts of Africa.

The Complainant's trademarks are primarily owned by two entities which are both wholly owned subsidiaries of the parent company Spur Corporation Limited, namely Spur Group (Pty) Ltd, and Steak Ranches International B.V.

Spur Group (Pty) Ltd is the owner of among others the South African Trademark for the word mark SPUR with Application No. 1977/03850, registered since June 24, 1981.

Since 2020 the Complainant's primary website is available at "www.spursteakranches.com". The domain name <spursteakranches.com> was registered on May 5, 2020.

Prior to 2020, the Complainant's primary website was available at "www.spur.co.za". The domain name <spur.co.za> was registered on May 13, 1997.

The disputed domain names were registered on the following dates: <spurmenu.com> on October 19, 2024, by Nadim Mahmoud, NextGent; <spur-menu.com> February 4, 2025, by Munna Ahmed and <spurmenucoza.com> on June 29, 2025, by samia yaqoob.

The disputed domain names have been used for websites that display the Complainant's SPUR mark and purportedly provide information concerning the Complainant's menus as well as for advertising goods or services of third parties unrelated to the Complainant.

The websites at the disputed domain names <spurmenu.com> and <spurmenucoza.com> prominently use the same "Indigenous peoples of the Americas Head" design that the Complainant has been using since before the registration of the disputed domain names.

The website at the disputed domain name <spur-menu.com> makes direct reference to the Complainant's Spur Steak Ranches restaurants.

The websites at the disputed domain names <spur-menu.com> and <spurmenu.com> use disclaimers at the bottom of the pages in small text and are not prominent. The disputed domain name <spurmenucoza.com> contains no disclaimer.

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 names.

Notably, the Complainant contends that:

- the disputed domain names all comprise the SPUR mark with the addition of the terms "menu" and "coza" (which in this case can be understood as reference to the most popular second-level country code Top Level Domain in South Africa "co.za") as well as a hyphen are confusingly similar to the SPUR mark;

- the Respondents have no rights or legitimate interests in respect of the disputed domain names since they are unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy;

- the Respondents' use of the disputed domain names to lure users to the associated websites by impersonating the Complainant and using its menu information as a pretext for commercial gain is evidence of bad faith.

The Complainant requests that the disputed domain names be transferred from the Respondents to the Complainant.

B. Respondents

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

6. Discussion and Findings

6.1. Procedural Element - Consolidation: Multiple Respondents

The amended Complaint was filed in relation to three domain names registered by nominally three different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

As regards to common control, the Panel notes that all three disputed domain names follow the similar naming pattern ("spur" + "menu") and have been used in the same or very similar manner, namely to resolve to websites using the same WordPress plugins and themes and purportedly provide information on the Complainant's menus as well as to advertise goods or services of third parties unrelated to the Complainant.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair and inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

6.2. Substantive Elements

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the complaint, namely that:

(i) the domain names are 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 domain names, and

(iii) the domain names have been registered and are 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 3.1. section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Complainant's mark is reproduced and is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The addition of the terms "menu" and "coza" (which here can be understood as reference to the most popular second-level country code Top Level Domain in South Africa "co.za") as well as a hyphen to the mark in the disputed domain names does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

The Panel finds that 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 3.1, 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant has not authorized, licensed, or allowed the Respondent to use its mark in the disputed domain names or in any other way that would confer validity or legitimacy upon such usage.

The Panel finds that the use of the disputed domain names - in addition to purportedly provide information concerning the Complainant's menus - for advertising goods or services of third parties unrelated to the Complainant does not represent a legitimate nominative fair use of the Complainant's mark. WIPO Overview 3.1, section 2.8.

Furthermore, the composition of the disputed domain names, comprising the Complainant's SPUR mark with the addition of the term "menu" (related to the Complainant's business) and use of the disputed domain names as mentioned in section 4 above, namely prominent display of the Complainant's SPUR mark and the signature logo which the Complainant used prior to registration of the disputed domain names as well of the images of menus and dishes from the Complainant's websites creates a likelihood of confusion with the Complainant.

The Panel finds that 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.

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

In the present case, the Panel notes that the Complainant's mark predates the registration of the disputed domain names which incorporate the mark in full.

In view of the Panel the Respondent was clearly aware of the Complainant and its mark at registration of the disputed domain names. The Respondent's intent to target the Complainant's mark can be readily inferred from the contents of the websites at the disputed domain names which referenced the Complainant's restaurants, copied the Complainant's mark and signature logo and some of the content from the Complainant's websites.

Therefore, the disputed domain names were registered and are being used in bad faith. Paragraph 4(b)(iv) of the Policy and WIPO Overview 3.1, section 3.1.4.

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 names <spur-menu.com>, <spurmenu.com>, and <spurmenucoza.com> be transferred to the Complainant.

/Zoltán Takács/
Zoltán Takács
Sole Panelist
Date: April 16, 2026