

ADMINISTRATIVE PANEL DECISION

Freddy's, L.L.C. v. Laraib Asif
Case No. D2026-1109

1. The Parties

The Complainant is Freddy's, L.L.C., United States of America ("United States"), represented by Lathrop GPM LLP, United States.

The Respondent is Laraib Asif, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <freddysmenuprices.com> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 14, 2026. On March 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 19, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 20, 2026, 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 March 23, 2026.

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 March 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 17, 2026.

The Center appointed Andrew F. Christie as the sole panelist in this matter on April 23, 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

The Complainant is the franchisor of the Freddy's Frozen Custard & Steakburgers quick-serve restaurants. It has served fresh, made-to-order steakburgers, frozen custard, and other fast-food staples for more than twenty years. The Complainant is one of the fastest growing franchises in the United States with more than 500 locations nationwide. It has an online presence where it offers information about its menu offerings, catering services, and related services, primarily at the website "www.freddys.com". Customers can also place orders through the website.

The Complainant is the owner of a number registrations for trademarks consisting of, or containing, the string "Freddy's", including United States Trademark No. 4414677 for the word trademark FREDDY'S (registered on October 8, 2013) and United States Trademark No. 7194236 for the design trademark (registered on October 17, 2023) consisting of the word "Freddy's" in cursive lettering with a banner which extends from beneath the "f" and to the "y", next to another banner beneath the letter "s".

The Complainant is also the registrant of the domain name <freddys.com> (registered on July 30, 1998).

The disputed domain name has a creation date of April 21, 2025. The Complainant has provided undated screenshots, which it says were taken on December 5, 2025, of the website to which the disputed domain name resolved. In the top left corner, above the website's menu listings, is the word "Freddy's" in a cursive script similar to that of the Complainant's design trademark. The website has the main heading "FREDDY'S MENU PRICES – LATEST UPDATES [2025]", under which is text stating: "Freddy's Frozen Custard & Steakburgers is a renowned casual food chain that serves premium quality steakburgers and frozen custards in all-American style- the variety is huge." Thereafter the website contains numerous menu offerings with prices.

As at the date of this Decision, the disputed domain name resolves to a landing page stating "This Account has been suspended."

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 contends that the disputed domain name is confusingly similar to a trademark in which it has rights, on the following grounds. The disputed domain name encompasses the Complainant's registered trademark FREDDY'S. The difference between the disputed domain name and the Complainant's domain name (sic) is the addition of the word "menu" and "prices"—additions which, in the food and beverage industry, are descriptive and non-distinctive.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name on the following grounds, among others. The Complainant has never given the Respondent the authority to use the FREDDY'S trademarks or any confusingly similar mark in the disputed domain name. The Complainant's longstanding use of the FREDDY'S trademarks predates any rights the Respondent may claim in the disputed domain name. The Respondent is not commonly or legitimately known by the disputed domain name. The Respondent is not using the mark (sic) in connection with any bona fide goods or

services. The Respondent is not making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain. The Respondent is not affiliated with Complainant in any way, and the Respondent has not been licensed or authorized to use Complainant's FREDDY'S trademarks, or any confusingly similar trademark, in connection with any goods or services. The Respondent has no legitimate rights or interest in the disputed domain name but instead hopes to benefit from the reputation and goodwill of the FREDDY'S trademarks.

The Complainant contends that the Respondent has registered and is using the disputed domain name in bad faith on the following grounds, among others. The Respondent is intentionally attempting to attract users to its website for commercial gain and is using the Complainant's FREDDY'S trademarks to create the likelihood of confusion. The disputed domain name directs to a website that is near-identical to the Complainant's website, which unquestionably causes confusion as to affiliation or sponsorship. The Respondent goes so far as to use the Complainant's images and content to describe the Complainant's menu items on the Respondent's website. The Respondent likely had actual notice of the Complainant's rights in its federally registered trademarks, and intentionally chose a domain name that merely added the words "menu" and "prices" to mimic the Complainant's website and used the FREDDY'S trademarks. The Respondent obtained the disputed domain name on April 21, 2025, decades after the Complainant began using its FREDDY'S trademarks and registered its own domain name.

B. Respondent

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

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 Select UDRP Questions (["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. It is the owner of a trademark registration for the word trademark FREDDY'S.

Apart from the apostrophe, the entirety of the Complainant's word trademark is reproduced within the disputed domain name, with the addition only of the words "menu" and "prices". The Complainant's trademark is recognizable within the disputed domain name, and that the addition of the words "menu" and "prices" does not prevent a finding of confusing similarity between the disputed domain name and the trademark for the purposes of the Policy.

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 that 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.

The Respondent is not a licensee of the Complainant, is not otherwise affiliated with the Complainant, and has not been authorized by the Complainant to use its FREDDY'S word trademark. The Respondent has not provided any evidence that it has been commonly known by, or has made a bona fide use of, the disputed domain name, or that it has, for any other reason, rights or legitimate interests in the disputed domain name. The composition of the disputed domain name carries a risk of implied affiliation with the Complainant. The disputed domain name resolved to a website that contained the Complainant's FREDDY'S word trademark and the word "Freddy's" in a cursive script similar to the Complainant's design trademark, and which displayed prices that purported to be for menu items of the Complainant. The Respondent's use of the disputed domain name in this way unfairly took advantage of the Complainant's trademarks for the Respondent's benefit. Such use of the disputed domain name is not a bona fide offering of goods or services, and is not a legitimate noncommercial or fair use. Accordingly, such use does not confer on the Respondent rights or legitimate interests in the disputed domain name.

The Complainant has put forward a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name, and the Respondent has not rebutted this. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

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: (i) the Respondent registered the disputed domain name more than a decade after the Complainant first registered its FREDDY'S trademark; (ii) apart from the apostrophe, the disputed domain name incorporates the Complainant's trademark in its entirety, and merely adds the words "menu" and "prices", which are descriptive of items in respect of which the Complainant uses its trademark; and (iii) the Respondent has used the disputed domain name to resolve to a web location at which the Complainant's trademark is used and which purports to provide information about the Complainant's products. It is clear the Respondent registered the disputed domain name with knowledge of the Complainant's trademark.

The evidence shows that the Respondent has used the disputed domain name in an intentional attempt to attract, for commercial gain, Internet users to a website by creating a likelihood of confusion with the Complainant's trademark.

Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain name constitute 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 <freddysmenuprices.com> be transferred to the Complainant.

/Andrew F. Christie/

Andrew F. Christie

Sole Panelist

Date: May 6, 2026