

ADMINISTRATIVE PANEL DECISION

The Middleby Corporation, Middleby Marshall Inc. v. ilino
Case No. D2026-2078

1. The Parties

The Complainants are The Middleby Corporation and Middleby Marshall Inc., United States of America (“United States”), represented by Com Laude Limited, United Kingdom.

The Respondent is ilino, United States.

2. The Domain Name and Registrar

The disputed domain name <middlebysolutions.com> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 14, 2026. On May 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 15, 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 (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 19, 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 amended Complaint on May 20, 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 May 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 10, 2026.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on June 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.

4. Factual Background

The First Complainant, The Middleby Corporation, operating through its subsidiary Middleby Marshall Inc., the Second Complainant, is a worldwide manufacturer of commercial restaurant equipment, residential appliances, and systems for industrial processing, packaging, and baking.

The First Complainant was founded as Middleby Marshall Oven Company in 1888 in Chicago, Illinois, in the United States. Today the Complainants employ over 10,000 employees in more than 150 countries and are one of the largest global manufacturers of commercial cooking equipment, with over 120 brands in their portfolio.

The Complainants have an extensive global portfolio of trademark registrations incorporating the "MIDDLEBY" mark, including the following:

International Registration No. 1600332 for MIDDLEBY in classes 35, 40, 42, and 43, designating inter alia Australia, Canada, Switzerland, China, European Union, United Kingdom, India and Japan, registered on February 5, 2021, by the Second Complainant;

and

United States Registration No. 1109952 for MIDDLEBY-MARSHALL in Class 11, registered on December 26, 1978, by the Second Complainant.

The disputed domain name <middlebysolutions.com> was registered on April 1, 2026, and currently redirects to the Complainants website "shop.middleby.com".

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 the disputed domain name incorporates the Complainants' MIDDLEBY mark in its entirety, combined with the descriptive term "solutions". MIDDLEBY is the dominant and most recognizable element of the disputed domain name. The addition of the generic, dictionary term "solutions" does nothing to distinguish the disputed domain name from the Complainants' mark.

The disputed domain name is confusingly similar to their MIDDLEBY and MIDDLEBY MARSHALL marks. The term MIDDLEBY remains the dominant and most recognizable element of those marks, and its incorporation in full within the disputed domain name is sufficient to establish confusing similarity with those marks.

Complainants have found no evidence that the Respondent has been commonly known as "MIDDLEBY" or "MIDDLEBY SOLUTIONS", with or without adornments, prior to or after the registration of the disputed domain name. The Respondent is not a licensee of the Complainants and has not received any permission, consent or acquiescence from the Complainants to use their marks in association with the registration of the disputed domain name or, indeed, any domain name, service or product.

The Complainants have found no evidence that the Respondent owns any trademarks incorporating the term "MIDDLEBY". Equally, the Complainants have found no evidence that the Respondent has ever traded legitimately under the name "MIDDLEBY SOLUTIONS" or any similar name.

Merely forwarding the disputed domain name to the Complainants' website cannot confer a legitimate interest on the Respondent.

The disputed domain name's zone file is configured with MX and SPF records, which means that the disputed domain name has been actively set up for sending and receiving email, and that steps have been taken to ensure that emails sent from addresses at the disputed domain name are less likely to be treated as spam by recipients.

Considering that the disputed domain name is confusingly similar to the Complainants' MIDDLEBY marks and redirects to the Complainants' own website, any email originating from the disputed domain name would be highly likely to mislead recipients into believing it had been sent by or on behalf of the Complainants.

The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services. The Complainants further assert that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Complainants aver that the incorporation of their highly distinctive MIDDLEBY name and mark - which is the dominant and most recognizable element of the disputed domain name - falsely suggests affiliation between the Respondent and the Complainants. The addition of the term "solutions" compounds rather than dispels this impression, as it gives the impression that the disputed domain name is operated by or connected with the Complainants. An Internet user encountering the disputed domain name, or receiving an email from an address at the disputed domain name, would reasonably assume that it is associated with, sponsored by, or endorsed by the Complainants.

The disputed domain name is confusingly similar to the Complainants' MIDDLEBY marks and redirects to the Complainants' own website. Accordingly, should any person familiar with the Complainants or their products receive an email originating from the disputed domain name, they would reasonably assume that it had been sent by or on behalf of the Complainants. The Complainants contend that such use could not be considered in good faith in any circumstances.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Procedural Issue: Consolidation of Multiple Complainants

The Panel notes that the present Complaint has been filed by multiple Complainants. UDRP panels have articulated principles governing the question of whether a complaint filed by multiple complainants may be brought against one respondent. These criteria encompass situations in which (i) the complainants either have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants' in a similar fashion; (ii) it would be equitable and procedurally efficient to permit the consolidation. WIPO Overview of WIPO Panel Views on Select UDRP Questions, (["WIPO Overview 3.1"](#)), section 4.11.

In order for the filing of a single complaint brought by multiple complainants to be accepted, the complaint would typically need to be accompanied by a request for consolidation which establishes that the relevant criteria have been met.

In the present case, the Panel is satisfied that both Complainants have rights in the MIDDLEBY and MIDDLEBY-MARSHALL mark as set out under the Factual Background heading above. The Panel notes that the Complainants assert that they have been the target of common conduct by the Respondent, and that as there is a common grievance on the part of each of them in a single disputed domain name, and given the almost identical facts, it would be procedurally efficient to deal with all matters in a consolidated proceeding.

The Panel finds that the Complainants have established that they have a common grievance against the Respondent, which would affect their individual rights on substantially the same basis. The Respondent has not indicated that it would suffer any prejudice from consolidation of the Complainants, and no potential prejudice is apparent to the Panel. The Respondent has not otherwise contested the request for consolidation.

Accordingly, the Panel considers it procedurally efficient to allow the Complainants to proceed with the single Complaint as filed and believes that consolidation is fair and equitable to all of the Parties.

A. Identical or Confusingly Similar

The Complainants have demonstrated that they own registered trademark rights in the well-known MIDDLEBY mark. The addition of the term “solutions” does not prevent the Complainant’s trademark from being recognizable in the disputed domain name. The disputed domain name wholly incorporates the Complainant’s trademark. The generic Top-Level Domain (“gTLD”) “.com” is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. and *F. Hoffmann-La Roche AG v. Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org / Conan Corrigan*, WIPO Case No. [D2015-2316](#).

Accordingly, the disputed domain name is confusingly similar to a mark in which the Complainant has rights.

B. Rights or Legitimate Interests

The Complainants have presented a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name and has not been commonly known by the disputed domain name. The fact, inter alia, that the Respondent obtained the disputed domain name over 130 years after the Complainants began using its MIDDLEBY and MIDDLEBY-MARSHALL marks, indicates that the Respondent sought to piggyback on the Complainants’ marks for illegitimate reasons.

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#); and section 2.1 of the [WIPO Overview 3.1](#).

Here, the Respondent has provided no evidence of any rights or legitimate interests in the disputed domain name. Moreover, the evidence provided by the Complainants shows that the disputed domain name redirects to the Complainants’ actual website.

In the absence of any evidence rebutting the Complainants’ prima facie case indicating the Respondent’s lack of rights or legitimate interests in respect of the disputed domain name, the Panel finds that the Complainant has satisfied paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The disputed domain name was registered years after the Complainants first use of their marks. The evidence provided by the Complainants makes it clear that the Respondent undoubtedly knew of the Complainants' marks and knew that it had no rights or legitimate interests in the disputed domain name when it registered the disputed domain name.

There is no apparent benign reason for the Respondent to have registered the disputed domain name that is a variant of the Complainants marks.

Further, the Panel finds the use of the disputed domain name by the Respondent is in bad faith. Paragraph 4(b)(iv) of the Policy states that evidence of bad faith may include a respondent's use of a domain name to intentionally attempt to attract, for commercial gain, Internet users to the respondent's website or other online location, by creating a likelihood of confusion with the complainant's mark. The Complainant has shown that the disputed domain name redirects to the Complainants' website. Noting the risk of implied affiliation arising from the composition of the disputed domain name, the Respondent's control over the disputed domain name is a hanging threat over the Complainants as the misleading nature of the disputed domain name is enhanced with the redirection to the Complainants website. Panels have found that given that the use of a misleading domain name for redirecting the domain name to or mimicking the complainant's (or a competitor's) website is considered evidence of bad faith. See section 3.1.4 of the [WIPO Overview 3.1](#).

In the absence of any evidence or explanation from the Respondent, given the fame of the Complainants mark and the use of the disputed domain name, the Panel finds that the only plausible basis for registering and using the disputed domain name has been for illegitimate and bad faith purposes.

Accordingly, the Panel finds that the Complainants have satisfied paragraph 4(a)(iii) 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 <middlebysolutions.com> be transferred to the Complainants.

/Colin T. O'Brien/

Colin T. O'Brien

Sole Panelist

Date: June 25, 2026