

ADMINISTRATIVE PANEL DECISION

Advancepierre Foods, Inc. v. Yurii Pysko, Liudmyla Veselovska
Case No. D2026-2159

1. The Parties

The Complainant is Advancepierre Foods, Inc., United States of America ("United States"), represented by Tyson Foods, Inc., United States.

The Respondents are Liudmyla Veselovska ("Registrant 1") and Yurii Pysko ("Registrant 2"), Ukraine.

2. The Domain Names and Registrars

The disputed domain name <fast-bites.com> ("Domain Name 1") is registered with NameCheap, Inc. The disputed domain name <thefastbites.com> ("Domain Name 2") is registered with Spaceship, Inc. (the "Registrars"). Domain Name 1 and Domain Name 2 are hereinafter collectively referred to as the "Domain Names".

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 19, 2026. On May 20, 2026, the Center transmitted by email to the Registrars requests for registrar verification in connection with the Domain Names. On May 21, 2026, each of the Registrars transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names 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 May 22, 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 Domain Names associated with different underlying registrants or alternatively, to provide additional arguments aside from the ones included in the original Complaint, to demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant did not reply to the Center's email communication.

The Center verified that 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 Respondents of the Complaint, and the proceedings commenced on June 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 12, 2026. The Respondents did not submit a Response. However, Registrant 2 sent informal communications to the Center on May 23 and 29, 2026. The Center notified the Respondents' default on July 16, 2026.

The Center appointed Karen Fong as the sole panelist in this matter on July 24, 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 owner of the trade mark FASTBITES, which its predecessors in title first used in 1999. The Complainant owns the following trade mark registrations for the FASTBITES trade mark:

- United States Trade Mark Registration No. 2261726 for FASTBITES registered on July 13, 1999; and
- United States Trade Mark Registration No. 8039885 for FASTBITES (Stylised) registered on November 25, 2025 (the "Logo Mark");

(individually and collectively, the "Trade Mark").

Domain Name 1 was registered by Registrant 1 on August 28, 2025, and Domain Name 2 was registered by Registrant 2 on February 21, 2026. Both Domain Names resolve to websites which display the Complainant's Trade Mark including the Logo Mark and listings of what appears to be the Complainant's products (the "Websites"). The links connected to these products resolve to the Amazon website where the sales of the Complainant's products, direct competitor products and third party products are promoted.

Both the websites include a copyright notice: "Copyright © 2026 - Fast Bites" for Domain Name 1 ("Website 1") and "Copyright © 2025 - Fast Bites" for Domain Name 2 ("Website 2"). The Websites also have the following notices:

Website 1 - "Fast Bites (fast-bites.com) is a participant in the Amazon Services LLC Associates Program, an affiliate advertising program designed to provide a means for sites to earn advertising fees by advertising and linking to amazon.com"; and

Website 2 - "Fast Bites (thefastbites.com) is a participant in the Amazon Services LLC Associates Program, an affiliate advertising program designed to provide a means for sites to earn advertising fees by advertising and linking to amazon.com"

Website 2 also contained the following wording: "Fast Bites Official Website Frozen Meat and Veggie Burgers for Healthy Eating Company Values."

On May 23 2026, Registrant 2 emailed the Center saying that Website 2 has been deleted and Domain Name 2 may be transferred. Registrant 2 also denied that he owned Domain Name 1. On May 29, 2026, Registrant 2 reiterated that he did not own Domain Name 1. Domain Name 2 is now inactive.

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 Domain Names.

Notably, the Complainant contends that the Domain Names are confusingly similar to the Trade Mark in which it has rights, that the Respondents have no rights or legitimate interests with respect to the Domain Names, and that the Domain Names were registered and are being used in bad faith. The Complainant requests transfer of the Domain Names.

B. Respondents

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

6. Discussion and Findings

6.1. Preliminary Issues

A. Location of the Respondent

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality, that each Party is given a fair opportunity to present its case, and that the administrative proceeding takes place with due expedition.

The location of the Respondents, as disclosed by the Registrar, appears to be in Ukraine, which is subject to an international conflict as of the date of this Decision that may affect case notification. It is therefore appropriate for the Panel to consider, in the exercise of its discretion under paragraph 10 of the Rules, whether the proceeding should continue.

Having considered all the circumstances of the case, the Panel is of the view that the proceeding should continue. The record shows that the Notification of Complaint was sent to both Respondents' email addresses as disclosed by the Registrars. There is no evidence that the case notification email to these email addresses was not successfully delivered, and although the email address displayed at the website connected to Domain Name 2 – which had by then been deactivated – were returned as undeliverable, Registrant 2 has participated in the proceedings by sending email communications to the Center on May 23, and 29, 2026.. This, together with the Panel's findings in Section 6.1(B) below, demonstrates that the Respondents in fact received the relevant communications for this proceeding. The Center has accordingly fulfilled its notice obligations under the Rules, notwithstanding the absence of formal Responses from either Respondent.

The Respondents also used a privacy service to disguise their identity, which was subsequently ascertained and communicated to the Complainant by the Center. The Panel further notes that the Domain Names were registered during the international conflict referenced above, indicating that the Respondents have maintained access to the Internet and to the Domain Names throughout the relevant period.

The Panel concludes that the Respondents, though allegedly located in Ukraine, have been given a fair opportunity to present their case, and that everything required to notify the Respondents was done. So that the administrative proceeding may take place with due expedition, the Panel proceeds to a decision accordingly.

B. Consolidation: Multiple Respondents

The Complaint was filed in relation to nominally different domain name registrants using the same privacy protect name. 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 Domain Name registrants pursuant to paragraph 10(e) of the Rules.

In two informal emails, Registrant 2 denied that it was the registrant of Domain Name 1 but neither registrant formally commented on the Complainant's consolidation 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 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 common control, the Panel notes the following:

- (1) Both the Domain Names comprise the Trade Mark in its entirety as part of the Domain Names;
- (2) Both the Domain Names used the same privacy protection services;
- (3) Both Registrants appear to be based in Ukraine.
- (4) Both Websites displayed similar content, reproducing the Trade Mark including the Logo Mark as well as images of the Complainant's products and purport to be the Complainant's official website or somehow connected or affiliated with the Complainant.
- (5) Both the Domain Names bear Copyright Notices asserting ownership by the Complainant and a notice that it is a participant of the Amazon Services LLC Associates Program. They both also have links to the Amazon website where the sales of the Complainant's products, direct competitor products and third-party products are promoted.

The evidence submitted points to the fact that all the Domain Names are subject of common control by the Respondents. The above pattern evidences common conduct based on the registration and use of the Domain Names and that such conduct targets the Trade Mark. Registrant 2's denial of any connection to Domain Name 1 was not accompanied by any supporting evidence, and is not persuasive to the Panel in light of the evidence listed above. Bare denial, unsupported by any explanation for these overlapping indicia, does not overcome the Complainant's arguments of common control. As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

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

6.2 Substantive Issues

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 trade mark and the disputed domain names. [WIPO Overview 3.1](#), section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the entirety of the Trade Mark is reproduced within the Domain Names. Accordingly, the Domain Names are confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The addition of the term "the" and a hyphen between "fast" and "bites" does not prevent a finding of confusing similarity between the Domain Names and the Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Based on the available record, 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.

While 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 often impossible 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. 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 record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the 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 Domain Names such as those enumerated in the Policy or otherwise. Based on the available record, 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 must have been aware of the Trade Mark when it registered the Domain Names given the reputation of the Trade Mark, the fact that the Trade Mark was registered long before the registration of the Domain Names and the use of the Trade Mark, the Logo Mark and images of the Complainant’s products on the Websites. It is therefore implausible that the Respondent was unaware of the Complainant when it registered the Domain Names.

In the [WIPO Overview 3.1](#), section 3.2.2 states as follows:

“Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant’s mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark (particularly in the case of domainers), panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant’s mark. Further factors including the nature of the domain name, the chosen top-level domain, any use of the domain name, or any respondent pattern, may obviate a respondent’s claim not to have been aware of the complainant’s mark.”

The fact that there is a clear absence of rights or legitimate interests coupled with the Respondent’s choice of the two Domain Names without any explanation is also a significant factor to consider (as stated in [WIPO Overview 3.1](#), section 3.2.1). The Domain Names fall into the category stated above and the Panel finds that the registration is in bad faith. The use of the Domain Names to host the Websites reproducing the Trademark, including the Logo Mark and images of the Complainant’s products, further supports a finding that the Respondent was more likely than not aware of the Complainant’s trademark when registering the Domain Names.

The Domain Names are also being used in bad faith. The unauthorised use of the Complainant's Trade Mark, images of the Complainant's products and content on the Websites which seeks to impersonate the Complainant and/or imply a connection with the Complainant was calculated to mislead Internet users to believe its affiliation with the Complainant.

The content of the Websites was designed to give the impression that the Respondent was authorised by, connected to, or affiliated with the Complainant when this is not the case. The Respondent exploited the fame of the Trade Mark to divert Internet users to the Websites, and further, to the Amazon.com platform and to direct competitors of the Complainant, rather than the Complainant's own site. The Panel further notes that the Websites contains no information clarifying the relationship (or absence of any relationship) with the Complainant. The Panel therefore concludes that the Respondent has intentionally attempted to attract, for commercial gain, by misleading Internet users into believing that the Websites and the products purportedly offered and sold thereon, originate from, or are authorised or endorsed by the Complainant.

The fact that Website 2 was made inactive after the Complaint was filed does not affect the Panel's finding of bad faith. A respondent cannot escape a finding of bad faith registration and use by removing content once a dispute has commenced. If anything, the timing of the takedown is itself, consistent with an awareness of wrongdoing rather than a defense to it.

The Panel therefore also concludes that the Domain Names were registered and are being used in bad faith under paragraph 4(b)(ii) and (iv) of the Policy.

Based on the available record, the Panel finds the third element of the Policy has been established.

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 Domain Names <fast-bites.com> and <thefastbites.com> be transferred to the Complainant.

/Karen Fong/

Karen Fong

Sole Panelist

Date: August 10, 2026