ADMINISTRATIVE PANEL DECISION

The Kraft Heinz Company v. Maymunah Maymunah
Case No. D2026-3020

1. The Parties

The Complainant is The Kraft Heinz Company, United States of America ("US"), represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Maymunah Maymunah, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <claussen-pickles.com> is registered with Dynadot LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 9, 2026. On July 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 10, 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 / Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 14, 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 July 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 July 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 26, 2026.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on August 31, 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, The Kraft Heinz Company, is an American multinational food company formed by the 2015 merger of Kraft Foods Group, Inc. ("Kraft") and H.J. Heinz Company ("Heinz"). Through the Complainant's subsidiary, Kraft Foods Group Brands LLC, the Complainant owns the CLAUSSEN trademark across multiple jurisdictions. The Complainant is one of the largest food and beverage companies in the world. It is co-headquartered in Chicago, Illinois, US, and Pittsburgh, Pennsylvania, US.

Claussen Pickles traces its origins back to Claus F. Claussen, a German immigrant farmer in Chicago, US who began pickling unsold cucumbers. The company later grew into a national brand after being acquired by Oscar Mayer & Co. in 1970. Oscar Mayer was later acquired by General Foods in 1981, which merged with Kraft in 1990. Claussen has been a staple pickle brand for Americans for over 150 years.

The Complainant has proven to be the owner of several registrations for the CLAUSSEN trademark.

The Complainant is, inter alia, the owner of:

US trademark registration for CLAUSSEN (word), No. 919506, registered on August 31, 1971;
Canadian trademark registration for CLAUSSEN (word), No. TMA422350, registered on January 21, 1994;
Portuguese trademark registration for CLAUSSEN (word), No. 192466, registered on June 27, 1984.

The Complainant also owns various domain names that incorporate the CLAUSSEN trademark, including the domain name <claussenpickles.com> which it has held since at least June 2007.

The disputed domain name was registered on September 2, 2025.

Currently the disputed domain name appears to be inactive. However, from the submissions of the Complainant, it appears that previously (at least on June 23, 2026) the disputed domain name resolved to an online shop prominently displaying the Complainant's mark and allegedly offering the Complainant's CLAUSSEN-branded products. In addition, on this website, a number of the Complainant's copyright-protected official product images and marketing materials were displayed.

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 addition of a hyphen "-" and the term "pickles" in the disputed domain name is not sufficient to prevent the finding of confusing similarity with the Complainant's trademark. On the contrary, the fact that the term "pickles" is closely linked to and associated with the Complainant's brand and trademark only serves to underscore and increase the confusing similarity between the disputed domain name and the Complainant's trademark; that the Respondent's use of the disputed domain name for a website displaying the Complainant's CLAUSSEN trademark, in an apparent attempt to impersonate the Complainant or to suggest an affiliation with the Complainant, does not give rise to rights or legitimate interests; and that bad faith registration and use should be found, as the Respondent was aware of the Complainant's trademark and activities, and attempted to duplicate the Complainant's online presence by passing itself off as an official Claussen website. As such, the disputed domain name's website was purposely designed as a means of deceiving Internet users into believing that the disputed domain name and its website are associated with the Complainant.

Furthermore, the Complainant points out that the disputed domain name resolved to a website that copied the Complainant's official website, using copyright-protected photographs and trademarks, in order to sell CLAUSSEN-branded products, thereby creating confusion among consumers.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Considerations

Paragraph 10(b) of the Rules requires the Panel to ensure that the parties are treated with equality and that each party is given a fair opportunity to present its case. Paragraph 10(c) requires that the administrative proceeding takes place with due expedition.

The domain name registrant's mailing address is in Ukraine, which is subject to an international conflict at the date of this decision. These circumstances may impact case notification and it is appropriate for the Panel to consider, in accordance with 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 Panel has reached this conclusion in part because the Panel recognizes that the Center employed all reasonably available means calculated to achieve actual notice to the Respondent, including the privacy service's email address obtainable by a public WhoIs search, the Respondent's email addresses as confirmed by the Registrar, the postmaster addresses as required by the Rules, and the Written Notice.

The Panel also notes that the Respondent registered the disputed domain name on September 2, 2025, i.e., over three years after the start of the commencement of the present international conflict, indicating that the Respondent provided the said address to the Registrar at the point of registration notwithstanding the ongoing international conflict, and thus would appear to be capable of controlling the disputed domain name and the related content. Further, having such access to the Internet, the Respondent should have received at least electronic notice of this proceeding, in this sense *Elec Games Ltd. v. Regery Ukraine*, WIPO Case No. D2024-4870 where the panel found that: "the disputed domain name was created in August 2024, during the international conflict, suggesting that the Respondent is able to access the Internet, maintain control of the disputed domain name (reinforced by the changing content displayed thereon, mentioned below), and should have received at least electronic notice of this proceeding."

Finally, the Panel notes that, for the reasons, which are set out later in this Decision, the Panel has formed the view that the Respondent registered and has used the disputed domain name in bad faith.

6.2. Substantive Issues

In order for the Complainant to obtain a transfer of the disputed domain name, paragraph 4(a) of the Policy requires that the Complainant must demonstrate to the Panel that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is 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 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.

The Panel finds the CLAUSSEN mark is incorporated entirely and 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.

Although the addition of other term here, "-pickles", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, 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 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.

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 Panel notes that the composition of the disputed domain name, which incorporates the Complainant's trademark together with the term "pickles" (for a website allegedly offering the Complainant's goods, namely pickles) affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website at the dispute domain name, and as such, the disputed domain name cannot qualify as fair use.

Panels have held that the use of a domain name for illegal activity here, claimed as passing off, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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.

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 3.1, section 3.2.1.

In the present case, the Panel notes that, as discussed below, it is highly likely that the Respondent was aware of the Complainant's trademark registrations and rights to the CLAUSSEN trademark when it registered the disputed domain name.

The disputed domain name contains in its entirety, without any relationship, authorization or approval by the Complainant, the Complainant's registered CLAUSSEN trademark combined with the term "pickles".

Owing to the substantial presence established worldwide and on the Internet by the Complainant, it is unlikely that the Respondent was not aware of the existence of the Complainant, or of the Complainant's trademark and domain name, when registering the disputed domain name.

In fact, the Complainant's CLAUSSEN trademark as well as the domain name comprising "claussen" were registered many years before the Respondent registered the disputed domain name.

Noting also the composition of the disputed domain name, which incorporates the Complainant's trademark along with the additional term "pickles", combined with the fact that the Respondent's website displays the CLAUSSEN trademark, as well as the Complainant's products, it is more likely than not that the Respondent, when registering the disputed domain name, had knowledge of the Complainant's prior rights to the CLAUSSEN trademark. The Panel is therefore satisfied that the Respondent has registered the disputed domain name in bad faith.

Further, by using the disputed domain name, the Panel notes that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark. Such use constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy.

Finally, the bad faith registration and use of the disputed domain name are further supported by the fact that the Respondent has not denied the assertions of bad faith made by the Complainant in these proceedings.

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 <claussen-pickles.com> be transferred to the Complainant.

/Fabrizio Bedarida/
Fabrizio Bedarida
Sole Panelist
Date: September 14, 2026