ARBITRATION
AND
MEDIATION CENTER

ADMINISTRATIVE PANEL DECISION
McDonald’s Corporation v. xen mac, xenmac
Case No. D2026-3064

1. The Parties

The Complainant is McDonald’s Corporation, United States of America (“United States”), represented by Bardehle Pagenberg Partnerschaft mbB, Germany.

The Respondent is xen mac, xenmac, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <mcdonaldsdeinfeedback.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 11, 2026. On July 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 15, 2026, the Registrar transmitted by email to the Center its verification, disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 17, 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 July 17, 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 August 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 26, 2026.

The Center appointed Manuel Wegrostek as the sole panelist in this matter on September 3, 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

For more than 60 years, the Complainant has been in the business of developing, operating, franchising, and servicing an extensive system of restaurants under its brand "McDonald's" that prepare, package, and sell a variety of quickly-prepared, modestly-priced foods and beverages. The Complainant's products and services sold under this brand have generated billions of dollars of sales on an annual basis, and have become known to consumers worldwide. With its restaurant locations serving approximately 69 million customers in over 100 countries each day, the Complainant has developed a global reputation as a world-leading foodservice retailer.

The Complainant, directly or through affiliated companies, is the owner of numerous trademark registrations for MCDONALD'S and MC DONALD'S (the "MCDONALD'S Trademark"), including:

- United States Trademark MCDONALD'S Registration No. 0743572, registered on January 8, 1963;

- United States Trademark MC DONALD'S Registration No. 0804365, registered on February 22, 1966; and.

- European Union Trade Mark MCDONALD'S Registration No. 000062497, registered on July 16, 1999.

The Complainant, directly or through affiliated companies, is also the owner of several domain names including the MCDONALD'S Trademark, such as <mcdonalds.com>, registered on July 12, 1994.

The disputed domain name was registered on June 10, 2022. At the time of the Decision, and when the (amended) Complaint was filed, the disputed domain name resolved to an active German-language website prominently displaying the MCDONALD'S Trademark as well as the Complainant's figurative logo (yellow arches on a red background). The website purports to be a "McDonald's DeinFeedback" (in English "McDonald's Your Feedback") customer feedback survey and invites users to take part in the survey, by entering data from a McDonald's receipt, in return for a voucher for a free drink.

Although the website under the disputed domain name features a tab labelled "Disclaimer", the content of that page does not disclose the absence of any relationship between the Respondent and the Complainant. Rather it indicates (translated from German) "All information on this website […] is published in good faith and for general informational purposes only."

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.

On the first element of the Policy, the Complainant claims that the disputed domain name is confusingly similar to the MCDONALD'S Trademark. The disputed domain name incorporates the MCDONALD'S Trademark in its entirety. The addition of the descriptive German-language term "deinfeedback" (translating to "your feedback" in English) does not prevent a finding of confusing similarity. To the contrary, it reinforces the confusing similarity, as it suggests an official McDonald's customer feedback platform, thereby creating an even stronger impression of an association with the Complainant.

On the second element of the Policy, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not found that the Respondent has any registered trademarks, trade names, or even personal names corresponding to the designation “McDonald’s”, “mcdonaldsdeinfeedback” or the disputed domain name. The mere registration of a domain name does not give the owner a right or legitimate interest in respect of the domain name. Further, it should be noted that the disputed domain name is used for a website conducting a fraudulent “customer feedback survey” addressed to the German-speaking public. The website prominently displays the MCDONALD’S Trademark and its famous “Golden Arches” logo. The cover page of the survey indicates that it is, allegedly, conducted by or on behalf of the Complainant to gather information on customer satisfaction and offers free food or beverages as an incentive for participation. As such, however, the website under the disputed domain name is false and thereby misleading consumers, because there are no commercial relationships with the Respondent, nor has the Complainant endorsed or otherwise supported the survey.

On the third element of the Policy, the Complainant asserts that the Respondent has registered and used the disputed domain name in bad faith. The MCDONALD’S Trademark is one of the most famous trademarks in the world, with a history of over 60 years of continuous use and a presence in over 100 countries. Given this worldwide fame, it is inconceivable that the Respondent registered the disputed domain name without actual knowledge of the Complainant and its rights. The deliberate incorporation of the MCDONALD’S Trademark together with the German-language term “deinfeedback” demonstrates that the Respondent specifically targeted the Complainant and its mark when registering the disputed domain name. The Respondent hence cannot claim not to have had actual knowledge of the Complainant’s rights. Further, there are no business relationships between the Respondent and the Complainant, who has never consented to the use of the MCDONALD’S Trademark. The use of this mark, as well as the use of the disputed domain name, constitutes a clear case of impersonation and passing off. Moreover, the fraudulent nature of the survey – soliciting personal information from consumers under false pretenses – suggests that the disputed domain name is being used as part of a phishing or data harvesting scheme.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules requires that the Panel’s decision be made “on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”.

The Complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the Complaint with respect to the disputed domain name, namely that:

(i) the disputed domain name is 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 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 disputed domain name contains the MCDONALD'S Trademark in its entirety, with the only difference being the addition of the German term "dein", translating to "your" in English, as well as "feedback". The absence of the apostrophe is to be disregarded, as apostrophes are not permitted characters in domain names. The Panel finds the mark is recognizable within the disputed domain name. WIPO Overview 3.1, section 1.7. The addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise), in this case the terms "dein" and "feedback", does not prevent a finding of confusing similarity under the first element. WIPO Overview 3.1, section 1.8.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy.

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.

Panels have categorically held that the use of a domain name for illegal activity (here, passing off) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.

The Complainant has not authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the MCDONALD'S Trademark. The Panel finds that there are no indications that the Respondent is commonly known by the disputed domain name or otherwise has any rights to or legitimate interests in the disputed domain name. Further, the disputed domain name is not used for a bona fide offering of goods or services. Rather, the disputed domain name resolves to an active website prominently displaying the MCDONALD'S Trademark as well as the Complainant's figurative logo (yellow arches on a red background). The website purports to be the Complainant's customer feedback survey and invites users to take part in the survey, by entering data from a McDonald's receipt, in return for a voucher for a free drink. The Complainant has not authorized the Respondent to conduct such a survey or to offer vouchers for free drinks at the Complainant's restaurants. The website linked to the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant, thus creating the false impression that the Respondent might be authorized by or affiliated with the Complainant.

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 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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. Panels also have held that the use of a domain name for illegitimate activity (here, passing off) can never confer rights or legitimate interests on a respondent and is manifestly considered evidence of bad faith. WIPO Overview 3.1, section 3.4.

Panels have further held that, 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, panels have been prepared to infer that the respondent knew, or 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. WIPO Overview, section 3.2.2.

Moreover, panels have found the following types of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark: (i) actual confusion; (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent's commercial benefit, even if unsuccessful; (iii) the lack of a respondent's own rights to or legitimate interests in a domain name; (iv) redirecting the domain name to a different respondent-owned website, even where such website contains a disclaimer; (v) redirecting the domain name to or mimicking the complainant's (or a competitor's) website; and (vi) absence of any conceivable good faith use. WIPO Overview 3.1, section 3.1.4.

In the present case, the disputed domain name incorporates the MCDONALD'S Trademark in its entirety, with the only difference being the addition of the German term "dein", translating to "your" in English, and the term "feedback", which is an English word commonly used and understood in German-speaking countries. Further, the disputed domain name resolves to an active website prominently displaying the MCDONALD'S Trademark as well as the Complainant's figurative logo (yellow arches on a red background). The website purports to be the Complainant's customer feedback survey and invites users to take part in the survey, by entering data from a McDonald's receipt, in return for a voucher for a free drink. The Complainant has not authorized the Respondent to conduct such a survey or to offer vouchers for free drinks at the Complainant's restaurants. Moreover, the website linked to the disputed domain name did not accurately and prominently disclose the relationship, or rather the lack thereof, between the Respondent and the Complainant. As shown above, the Respondent lacks rights or legitimate interests in the disputed domain name.

The Panel has not reached a final conclusion as to whether the Respondent has used the disputed domain name for phishing, despite certain indications, such as the invitation to Internet users to take part in a purported customer survey of the Complainant. In any event, the evidence set out above leads to the conclusion that the Respondent has registered and used the disputed domain name in order to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the MCDONALD'S Trademark as to the source, sponsorship, affiliation, or endorsement of that website. Furthermore, the MCDONALD'S Trademark is widely known worldwide, so that the Respondent cannot credibly claim to have been unaware of it when registering the disputed domain name.

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 <mcdonaldsdeinfeedback.com> be transferred to the Complainant.

/Manuel Wegrostek/
Manuel Wegrostek
Sole Panelist
Date: September 14, 2026