

ADMINISTRATIVE PANEL DECISION

Mann Lake, Limited v. Olivia Bennett
Case No. D2026-3465

1. The Parties

The Complainant is Mann Lake, Limited, United States of America (“United States”), represented by Maslon LLP, United States.

The Respondent is Olivia Bennett, United States.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 4, 2026. On August 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 6, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 7, 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 August 12, 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 August 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 16, 2026.

The Center appointed Evan D. Brown as the sole panelist in this matter on September 18, 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 asserts ownership of unregistered rights in the mark STROMBERG'S, which is used in connection with the sale of live poultry and poultry supplies and equipment through the website at the domain name <strombergschickens.com>. The Complainant states that the mark has been used continuously since 1921 and that the website's domain name has been used in commerce since January 27, 1998. The website's privacy policy identifies the Complainant, Mann Lake Ltd., as the parent company of Stromberg's Chickens, corroborating its connection to the business conducted under the STROMBERG'S mark.¹

The Complainant relies on unregistered rights in the STROMBERG'S mark. It has provided a December 22, 2023 notice concerning its United States trademark application, Serial No. 97695317, in which the examining attorney accepted a claim of acquired distinctiveness and withdrew a refusal based on the mark being primarily merely a surname. The notice suspended the application pending disposition of a cited registration and maintained other refusals and a requirement. While these proceedings have been ongoing, the STROMBERG'S trademark has now been registered under United States Registration No. 8429133, registered on September 15, 2026.

The disputed domain name was registered on September 5, 2025. According to an affidavit from an employee of the Complainant, the associated website offered products similar to those offered by the Complainant and used identical logos, imagery, and names. The affidavit also describes instances in which customers contacted the Complainant after attempting to purchase goods from that website, believing they were dealing with the Complainant.

5. Parties' Contentions

A. Complainant

The Complainant contends that: (i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

¹ The Panel has undertaken limited factual research by reviewing the Complainant's publicly available website to corroborate its assertions concerning use of the STROMBERG'S mark and its relationship to the business conducted under that mark. Such limited research is permissible under the Panel's general powers pursuant to paragraphs 10 and 12 of the Rules. See [WIPO Overview 3.1](#), section 4.8.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied: (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. The Panel finds that all three of these elements have been met in this case.

A. Identical or Confusingly Similar

This first element functions primarily as a standing requirement. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 1.7. This element requires the Panel to consider two issues: first, whether the Complainant has rights in a relevant mark; and second, whether the disputed domain name is identical or confusingly similar to that mark.

Although the Complainant now has a registered trademark for STROMBERG’S, under the Policy, a complainant’s trademark rights must be in existence at the time the complaint is filed. [WIPO Overview 3.1](#), section 1.1.3. The Complainant relies on unregistered rights in the STROMBERG’S mark in its Complaint. To establish such rights, a complainant must show that the mark has become a distinctive identifier that consumers associate with its goods or services. [WIPO Overview 3.1](#), section 1.3. Evidence that a respondent has targeted the mark may also support a finding that the mark has acquired significance as a source identifier. *Id.*

The Complainant’s evidence of acquired distinctiveness is limited, but the record contains more than a pending trademark application. The December 22, 2023 United States Patent and Trademark Office notice expressly states that the examining attorney accepted the Complainant’s claim of acquired distinctiveness and withdrew the primarily-merely-a-surname refusal. Although that notice does not establish registered rights, it supports the Complainant’s assertion of acquired distinctiveness. The employee affidavit further describes customers who associated the STROMBERG’S business with the Complainant and contacted it after mistakenly dealing with the Respondent’s website. The affidavit also describes the Respondent’s copying of logos, imagery, and names used on the legitimate website.

The Panel’s limited review of the website at the Complainant’s domain name <strombergsschickens.com>, registered since 1998, corroborates commercial use of the STROMBERG’S mark in connection with live poultry and poultry supplies and equipment. Its privacy policy identifies the Complainant as the parent company of Stromberg’s Chickens. A parent company may have standing based on trademark rights held within its corporate group. [WIPO Overview 3.1](#), section 1.4.1. Taken together, the evidence establishes unregistered rights in the STROMBERG’S mark sufficient for the Complainant’s standing under the Policy. It is unnecessary to determine whether the Complainant itself has continuously owned or used the mark since 1921.

The disputed domain name incorporates the STROMBERG’S mark, omitting the apostrophe and adding the terms “chickens” and “shop.” These differences do not prevent a finding of confusing similarity, as the mark remains recognizable within the disputed domain name. See [WIPO Overview 3.1](#), sections 1.7 and 1.8. The “.com” extension is disregarded for this comparison. See [WIPO Overview 3.1](#), section 1.11.1.

The Panel finds that the Complainant has established this first element under the Policy.

B. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first looking to see whether the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. If the Complainant makes that showing, the burden of production of demonstrating rights or legitimate interests shifts to the Respondent, with the burden of proof always remaining with the Complainant. See [WIPO Overview 3.1](#), section 2.1.

On this point, the Complainant asserts, among other things, that: (1) there is no evidence that the Respondent has used or intends to use the disputed domain name, or a corresponding domain name, in connection with a bona fide offering of goods or services; (2) there is no evidence that the Respondent has been commonly known by the disputed domain name or has acquired trademark or service mark rights; (3) the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name; and (4) the evidence demonstrates that the Respondent intends to misleadingly divert the Complainant's consumers or to tarnish its mark.

The Panel notes that the composition of the disputed domain name naturally suggests a connection with the Complainant's poultry business. Absent any explanation from the Respondent, the Panel finds it more likely than not that the disputed domain name was registered to suggest an affiliation with the Complainant where none exists. [WIPO Overview 3.1](#), section 2.5.1. The affidavit supplied by the Complainant supports these assertions by describing a website that used identical logos, imagery, and names to offer similar products, and instances of customers mistaking that website for the legitimate business. The Panel finds that this evidence demonstrates impersonation or passing off, which cannot confer rights or legitimate interests on the Respondent. See [WIPO Overview 3.1](#), section 2.13.1.

The Panel finds that the Complainant has made the required prima facie showing. The Respondent has not presented evidence to overcome this showing, and nothing in the record otherwise tilts the balance in the Respondent's favor. Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

C. Registered and Used in Bad Faith

The Policy requires the Complainant to establish that the disputed domain name was registered and is being used in bad faith. The circumstances here support both findings.

The disputed domain name combines the STROMBERG'S mark with the terms "chickens" and "shop", directly corresponding to the business conducted under the mark. An Internet search for "stromberg" and "chicken" returns results primarily relating to the Complainant. The Respondent's use of the disputed domain name for a website purportedly copying that business's logos, imagery, and names reinforces the inference that the Respondent had the mark and the associated business in mind when registering the disputed domain name. The December 2023 acceptance of the acquired-distinctiveness claim, which eventually matured into a formal registration, further supports the existence of rights before the disputed domain name's September 2025 registration. The Panel finds that the Respondent registered the disputed domain name to trade on the goodwill associated with the STROMBERG'S mark.

The Respondent's website allegedly offered products similar to those offered through the Complainant's legitimate website while presenting copied branding that created a false impression of affiliation. The affidavit's account of customers contacting the Complainant about transactions on the Respondent's website further supports that finding. The Respondent has not rebutted the Complainant's contentions or otherwise offered a good faith explanation for registering a domain name confusingly similar to the Complainant's. These circumstances demonstrate that the Respondent more likely than not intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the STROMBERG'S mark as to the source, sponsorship, affiliation, or endorsement of that website. This constitutes bad faith under paragraph 4(b)(iv) of the Policy. See [WIPO Overview 3.1](#), section 3.1.4.

For these reasons, the Panel finds that the Complainant has established this third element under 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 <strombergschickensshop.com> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: October 2, 2026