

ADMINISTRATIVE PANEL DECISION

The Kraft Heinz Company v. duanqi yan
Case No. D2026-3825

1. The Parties

1.1. The Complainant is The Kraft Heinz Company, United States of America, represented by CSC Digital Brand Services Group AB, Sweden (the “Complainant”).

1.2. The Respondent is duanqi yan, China (the “Respondent”).

2. The Domain Name and Registrar

2.1. The disputed domain name <miodrink.com> (the Disputed Domain Name) is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

3.1. The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 26, 2026. On August 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 30, 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 September 1, 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 September 7, 2026.

3.2. 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”).

3.3. In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 5, 2026.

3.4. The Center appointed Ike Ehiribe as the sole panelist in this matter on October 9, 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

4.1. The Complainant Kraft Heinz Company is an American multinational food company created in 2015 by the merger of Kraft Foods Group Inc and H.J. Heinz Company. The Complainant through its subsidiary Kraft Foods Group Brands LLC owns the MIO trademark across multiple jurisdictions. The Complainant attached printouts from the United States Patent and Trademark Office (“USPTO”), Canada’s Intellectual Property office (“CIPO”), and the Norwegian Industrial Property office (“NIPO”) which demonstrates that the Complainant has registered trademark rights. See below as follows:

- A) United States trademark registration No. 4168532 in class 32 registered on July 3, 2012;
- B) Canadian trademark registration No. TMA 948941 in class 30 registered on September 12, 2016; and
- C) Norwegian trademark registration No. 175452 in class 30 registered on July 18, 1996.

4.2. In 2025, the Complainant is recorded as having reported net sales of approximately USD 25 billion. The Complainant’s iconic brands include KRAFT, JELL-O, KOOL-AID, LUNCHABLES, MIO, OSCAR MAYER, PHILADELPHIA and VELVEETA. MIO itself is a flavoured water enhancer which was launched by the Complainant in 2011. The Complainant has said that the introduction of MIO helped establish a new product category which dominates the USD 1 billion -a- year powdered beverage business. MIO is also sold in numerous brick and mortar locations and e-commerce retail stores. The Complainant has an online presence and has operated from its primary website “www.kraftheinz.com” since 2015.

4.3. The Respondent is duanqui yan, purportedly based in China. According to the Whois record, the Respondent created the Disputed Domain Name <miodrink.com> on September 7, 2025. The Disputed Domain Name resolves to a website featuring numerous images of the Complainant’s MIO product alongside computer generated images all of which used a stylised font similar to that used by the Complainant.

5. Parties’ Contentions

A. Complainant

5.1. 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 upon a visual comparison of the Complainant’s trademark and the Disputed Domain Name, it will be discovered that the Disputed Domain Name captures in its entirety the Complainant’s MIO trademark and the mere addition of the related term “drink” does nothing to prevent a finding of confusing similarity. It is further submitted that a number of previous panels have consistently held that a disputed domain name that consists mainly of a complainant’s trademark and additional term closely related to and describes the complainant’s business is confusingly similar to that complainant’s trademarks. See *Inter IKEA Systems B.V. v. Franklin Lavall e? / IkeaCusine.net*, WIPO Case No. [D2015-2042](#). Furthermore, it is argued that a confusing similarity test would not take the extension into account as the extension is considered to be standard registration requirement therefore, the applicable Top-Level Domain (“TLD”) in this instance “.com” would be disregarded when conducting a confusing similarity test with regards to the Disputed Domain Name in question. It is further stated that anyone who sees the Disputed Domain Name is bound to mistake it for a name related to the Complainant, as the likelihood of confusion includes an obvious association with the trademark of the Complainant.

5.2. The Complainant further argues that the Respondent lacks any right or legitimate interest in the Disputed Domain Name in that the Complainant has not given the Respondent permission to use the Complainant's trademarks in any manner including domain names and neither is the Respondent sponsored by or affiliated with the Complainant in any way. Further the Respondent is not commonly known by the Disputed Domain Name which is clear evidence of lack of rights and or legitimate interests following *World Natural Bodybuilding Federation, Inc. v. Daniel Jones The DotCafe*; WIPO Case No. [D2008-0642](#). It is also stated that the Respondent at the time of filing the complaint was redacted for privacy purposes which past panels have found to equate to a lack of legitimate interest. It is also submitted that the Respondent is not using the Disputed Domain Name in connection with a *bona fide* offering of goods and services instead the Respondent has intentionally chosen to use the Disputed Domain Name to generate traffic and income through a website that is commercial through links directing Internet users to another commercial website, offering all kinds of products from a wide range of different brands besides the Complainant, thereby failing to meet the criteria laid down in *Ok! Data Americas Inc. v. ASD Inc.*, WIPO Case No. [D2001-0903](#). In that the Respondent *inter alia* does not adequately disclose the relationship or lack thereof between the Respondent and the Complainant and therefore conveys the false impression that the Respondent is somehow connected to the Complainant.

5.3. Turning to bad faith use and registration, the Complainant submits that it is not possible to conceive of a plausible situation in which the Respondent would not have been aware of the Complainant's brands at the time of creating the Disputed Domain Name on September 7, 2025. Secondly, it is further stated that the Respondent has intentionally attempted to attract for commercial gain Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's MIO trademark as to source, sponsorship, affiliation, or endorsement of the Respondent's website, product, or service. Thirdly, the Complainant asserts that the Respondent's use of the Disputed Domain Name constitutes overt disruption of the Complainant's business as the website to which the Disputed Domain Name resolves offers for sale the Complainant's goods and services without the Complainant's approval. Fourthly, the Complainant contends that bad faith use is equally established that since the Respondent has been held to be involved in previous bad faith pattern of cybersquatting. See *Rockwell Automation Inc. v. duangi yan*, WIPO Case No. [D2026-1882](#). Fifthly, it is said that the Respondent at the initial time of filing of the complaint employed a privacy service to hide its identity which has also been held to be further evidence of bad faith registration and use. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)") section 3.6.

B. Respondent

5.4. The Respondent did not reply to the Complainant's contentions and therefore, the Panel shall draw such adverse inferences from the Respondent's failure to respond as may be deemed appropriate.

6. Discussion and Findings

A. Identical or Confusingly Similar

6.1. 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 3.1](#), section 1.7.

6.2. The Complainant has shown through various trademark registrations in the United States, Canada, and Norway registered rights in respect of the MIO trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

6.3. The entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the Complainant's MIO trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

6.4. Although the addition of other terms such as in this instance “drink” may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the Disputed Domain Name and the MIO trademark 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

6.5. 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.

6.6. 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.

6.7. 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. On the contrary, the Respondent’s activities demonstrate a clear intention to obtain an unfair commercial gain or to tarnish the MIO trademark owned by the Complainant thereby disrupting the Complainant’s business.

6.8. Panels have held that the use of a domain name for illegal activity, such as copycat sites or passing off, as has occurred in this case, 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

6.9. 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.

6.10. 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 particular, the Panel is satisfied that the Respondent must have known of the existence of the Complainant’s brands and rights before electing to create the Disputed Domain Name on September 7, 2025. The Panel finds that the Respondent deliberately created the Disputed Domain Name to intentionally divert Internet users to websites associated with the Disputed Domain Name to benefit from traffic and illegal commercial gain and thereby disrupt the Complainant’s business.

6.11. Panels have held that the use of a domain name for illegal activity, such as claimed copycat site or passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds the Respondent’s registration and use of the Disputed Domain Name constitutes bad faith under the Policy. The Panel also finds that the Respondent’s reliance on a privacy service to shield its identity is an

additional indication of bad faith registration and use, particularly, in the circumstances of this case where the Respondent has previously been held to have engaged in a pattern of bad faith cybersquatting. See in this instance *Rockwell Automation Inc. v. duanqi yan*, WIPO Case No. [D2026-1882](#).

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

7.1. 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 <miodrink.com> be transferred to the Complainant.

/Ike Ehiribe/

Ike Ehiribe

Sole Panelist

Date: October 23, 2026