

## **ADMINISTRATIVE PANEL DECISION**

Papa John's International, Inc. v. Petra muller  
Case No. DNL2026-0011

### **1. The Parties**

The Complainant is Papa John's International, Inc., United States of America, represented by CSC Digital Brand Services Group AB, Sweden.

The registrant of the disputed domain name is Petra muller, Netherlands (Kingdom of the) ("the Netherlands"), (the "Respondent").

### **2. The Domain Name and Registrar**

The disputed domain name <papajohns.nl> is registered with SIDN through Registrar.eu.

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 7, 2026. On April 8, 2026, the Center transmitted by email to SIDN a request for registrar verification in connection with the disputed domain name.

On April 9, 2026, SIDN 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 and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 10, 2026, providing the information disclosed by SIDN, and inviting the Complainant to amend the Complaint in this light. The Complainant filed an amended Complaint on April 13, 2026.

The Center verified that the Complaint as amended satisfies the formal requirements of the Dispute Resolution Regulations for .nl Domain Names (the "Regulations").

In accordance with the Regulations, articles 5.1 and 16.4, the Center formally notified the Respondent of the Complaint and the proceedings commenced on April 16, 2026. In accordance with the Regulations, article 7.1, the due date for Response was May 6, 2026. The Center did not receive any response. Accordingly, the Center notified the Respondent's default on May 7, 2026.

The Center appointed Thijs van Aerde as the panelist in this matter on May 26, 2026. The Panel finds that it was properly constituted. The Panelist has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Regulations, article 9.2.

The proceedings were conducted in English.

#### 4. Factual Background

The following facts are undisputed.

The Complainant, Papa John's International, Inc., is a publicly listed company (NASDAQ: PZZA) that was founded over 30 years ago in Jeffersonville, Indiana, United States of America, and opened its first restaurant one year after its founding. The Complainant is the third largest take-out and pizza delivery chain worldwide, with more than 6,000 restaurants in approximately 50 countries and territories. In 2024, the Complainant recorded 122 net restaurant openings and reported revenues of more than USD 531 million at the end of 2024. The Complainant operates more than 10 branches in the Netherlands. The Complainant operates the domain names <papajohns.com> and <papajohns.co.nl>, the latter of which recorded over 37,500 visits in October 2025 according to Similarweb.

The Complainant owns an extensive portfolio of trademark registrations across multiple jurisdictions. These registrations include, inter alia:

- Benelux (BOIP) word mark PAPA JOHN'S, registration number 544288, registered on October 1, 1994, covering goods and services in Classes 30, 39, and 43;
- Benelux (BOIP) word mark PAPA JOHN'S, registration number 999450, registered on July 29, 2016, covering goods and services in Classes 29, 30, 39, and 43;
- United States (USPTO) word mark PAPA JOHN'S, registration number 1383735, registered on February 18, 1986; covering services in Class 42
- United States (USPTO) word mark PAPA JOHN'S, registration number 1940948, registered on December 12, 1995, covering services in Class 30;
- European Union trademark (EUIPO) figurative mark PIZZA PAPA JOHN'S, registration number 001126259, registered on March 26, 2001, covering goods and services in Classes 30, 39, and 42;
- European Union trademark (EUIPO) word mark PAPA JOHN'S, registration number 015670672, registered on November 21, 2016, covering goods and services in Classes 29, 30, 39, and 43.

The Complainant's trademark registrations predate the acquisition of the disputed domain name by the Respondent by many years.

The disputed domain name <papajohns.nl> was first registered on October 14, 2003. SIDN informed the Center that the date of the current registration by change of registrant is August 3, 2024.

At the time of filing the Complaint, the disputed domain name resolved to an inactive page displaying a message ("This site can't be reached – papajohns.nl's server IP address could not be found") and ("This page isn't working – papajohns.nl is currently unable to handle this request"). Technical records show that on April 16, 2026, the domain name returned a "503 Service Unavailable" response.

## **5. Parties' Contentions**

### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Regulations for it to become the registrant of the disputed domain name instead of the Respondent.

Notably, the Complainant contends the following.

As to the first element, the Complainant contends that the disputed domain name <papajohns.nl> is identical to the Complainant's PAPA JOHN'S trademarks, as the Second-Level element "papajohns" reproduces the trademark in its entirety. The only differences are the omission of the apostrophe (a character that cannot technically be included in a domain name) and the addition of the country code Top-Level domain ".nl", which is disregarded for the purpose of this comparison.

As to the second element, the Complainant contends that the Respondent has no connection with or authorization from the Complainant to use the disputed domain name, is not commonly known by the name "Papa John's", and has made no bona fide use of the disputed domain name. The Complainant notes that the disputed domain name resolves to an inactive page and that the Respondent offered the domain name for sale for EUR 50,000.

As to the third element, the Complainant contends that PAPA JOHN'S is internationally well-known, including in the Netherlands, and that the Respondent must have been aware of the Complainant's rights when registering the disputed domain name. The Complainant further contends that the Respondent's offer to sell the disputed domain name for EUR 50,000 following receipt of the cease-and-desist letter constitutes evidence of bad faith within the meaning of Article 3.2(a) of the Regulations, as this amount substantially exceeds the out-of-pocket costs of registering a .nl domain name. The Complainant also invokes the doctrine of passive holding.

The Complainant requests that the disputed domain name be transferred to the Complainant.

### **B. Respondent**

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

## **6. Discussion and Findings**

Pursuant to article 2.1 of the Regulations, the Complainant must prove each of the following three elements:

- a) the disputed domain name is identical or confusingly similar to: I) a trademark or trade name protected under Dutch law in which the Complainant has rights; or II) a personal name registered in the General Municipal Register (Gemeentelijke Basisadministratie) of a municipality in the Netherlands, or the name of a Dutch public legal entity or the name of an association or foundation registered in the Netherlands under which the Complainant undertakes public activities on a permanent basis; and
- b) the Respondent has no rights to or legitimate interests in the disputed domain name; and
- c) the disputed domain name has been registered or is being used in bad faith.

The Respondent did not provide a response to the Complaint. Therefore, based on article 10.3 of the Regulations, the Panel decides on the dispute on the basis of the Complaint. In that case, the Complaint shall be granted, unless the Panel considers it to be without basis in law or in fact.

## **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 protected under Dutch law and the disputed domain name. See also WIPO Overview of WIPO Panel Views on Select UDRP Questions (['WIPO Overview 3.1'](#)), section 1.7.<sup>1</sup>

The Complainant has shown rights in respect of a trademark for the purposes of the Regulations.

The Complainant has sufficiently established that it is the owner of several PAPA JOHN'S trademarks protected under Dutch law, including European Union trademark registrations and International registrations designating the European Union and/or the Benelux.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the trademark for the purposes of the Regulations

The disputed domain name consists of the second-level element "papajohns" combined with the country-code Top-Level Domain ".nl". It is well established in proceedings under the Regulations that the Top-Level Domain is disregarded for the purpose of this comparison. The second-level element "papajohns" reproduces the Complainant's PAPA JOHN'S trademark almost in its entirety. The only differences are the omission of the apostrophe and the space between the two words, neither of which can technically be incorporated into a domain name. These differences are wholly negligible and do not prevent the mark from being recognizable within the disputed domain name.

The Panel finds the first element of the Regulations has been established.

## **B. Rights or Legitimate Interests**

Article 3.1 of the Regulations 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 .NL 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 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. See [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel, taking into account that the Respondent has not submitted a Response, finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

None of the three illustrative circumstances enumerated in Article 3.1 of the Regulations is present in the facts of this case.

The disputed domain name does not resolve to any active website with content, as evidenced by the technical records available in the case file, displaying a message ("This site can't be reached – papajohns.nl's server IP address could not be found") and ("This page isn't working – papajohns.nl is

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<sup>1</sup> Given that the Regulations is based largely on the Uniform Domain Name Dispute Resolution Policy ("UDRP"), the Panel considers UDRP precedent, and thus [WIPO Overview 3.1](#), to be relevant to the present proceeding and will refer to it where appropriate (see, e.g., *Action Bolaget Electrolux v. Beuk Horeca B.V.*, WIPO Case No. [DNL2008-0050](#)).

currently unable to handle this request"). There is no evidence of any bona fide offering of goods or services under or in connection with the disputed domain name, nor of any demonstrable preparations for such use, either before or after notice of the dispute.

Second, nothing in the record indicates that the Respondent is or has ever been commonly known by the name "Papa John's" or "papajohns". The Whois information for the disputed domain name lists only the personal name "Petra muller". The Respondent has not submitted any evidence to the contrary.

Third, the Complainant has confirmed that it has not granted the Respondent any licence, authorization, or permission to use the PAPA JOHN'S trademark or to register a domain name incorporating that trademark. No relationship - whether commercial, contractual, or otherwise - exists between the parties.

Finally, the Panel notes that when the Respondent replied to the Complainant's cease-and-desist correspondence on September 29, 2025, she did not assert any legitimate use of or interest in the disputed domain name. Instead, she offered to sell the disputed domain name for EUR 50,000, directing the Complainant to address any offer to her representative. This conduct is wholly inconsistent with any claim to a legitimate noncommercial or fair use of the disputed domain name.

The Panel finds the second element of the Regulations has been established.

### **C. Registered or Used in Bad Faith**

In light of its considerations under Section 6.B, the facts presented by the Complainant, and the lack of a response by the Respondent, the Panel finds that the disputed domain name has been registered and/or is used in bad faith.

The Panel notes that, for the purposes of paragraph Article 2.1(c) of the Regulations, Article 3.2 of the Regulations establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration or use of a domain name in bad faith.

In the present case, the Panel notes the following.

Article 3.2 of the Regulations sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered or used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration or use of a domain name is in bad faith.

The Panel notes that the current Respondent became the registrant of the disputed domain name on August 3, 2024. This is approximately 30 years after the Complainant's earliest Benelux trademark registration (registration number 544288, registered October 1, 1994) and well after the Complainant had become internationally established. The Complainant is the third largest take-out and pizza delivery restaurant chain in the world, with more than 6,000 restaurants across approximately 50 countries, an active presence in the Netherlands, and revenues exceeding USD 531 million in 2024. Given the considerable and internationally established reputation of the Complainant and its PAPA JOHN'S mark at the time of the Respondent's acquisition of the disputed domain name in August 2024, the Panel finds it inconceivable that the Respondent was unaware of the Complainant and its trademark. See [WIPO Overview 3.1](#), section 3.2.2. The acquisition of the disputed domain name in August 2024 must therefore be regarded as having been made in bad faith, with knowledge of the Complainant's rights and with the intent to profit from the association with the Complainant's well-known trademark.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panelists have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Regulations. Having reviewed the available record, the Panel notes the following circumstances: (i) the considerable distinctiveness and long-established international reputation of the Complainant's PAPA JOHN'S trademark, dating back to at least 1994 in the Benelux; (ii) the disputed

domain name wholly incorporates the Complainant's trademark without any additional distinguishing element; (iii) the disputed domain name has been entirely inactive since the Respondent's acquisition in August 2024; and (iv) the Respondent has provided no credible explanation for the acquisition of the disputed domain name other than to seek payment of EUR 50,000. See [WIPO Overview 3.1](#), section 3.3 and section 3.1.1. In the circumstances of this case, the Panel finds that the passive holding of the disputed domain name does not prevent a finding of bad faith under the Regulations, and to the contrary supports such a finding.

In sum, the combination of (i) the Respondent's acquisition of the disputed domain name in August 2024 with knowledge of the Complainant's longstanding and internationally well-known PAPA JOHN'S trademark; (ii) the Respondent's offer to sell the disputed domain name for EUR 50,000 following the Complainant's cease-and-desist correspondence, without asserting any legitimate use or interest; and (iii) the entirely passive and inactive use of the disputed domain name since acquisition, leads the Panel to conclude that the disputed domain name was acquired and is being used in bad faith within the meaning of Articles 2.1(c) and 3.2(a) of the Regulations.

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

## **7. Decision**

For all the foregoing reasons, in accordance with articles 1 and 14 of the Regulations, the Panel orders that the Complainant becomes the registrant of the disputed domain name <papajohns.nl> instead of the Respondent.

*/Thijs van Aerde/*

**Thijs van Aerde**

Panelist

Date: June 5, 2026