

ADMINISTRATIVE PANEL DECISION

Skyscanner Limited v. iverson lim

Case No. D2025-1811

1. The Parties

The Complainant is Skyscanner Limited, United Kingdom, represented by Lewis Silkin LLP, United Kingdom.

The Respondent is iverson lim, Cambodia.

2. The Domain Name and Registrar

The disputed domain name <mobilskyscanner.click> (the “Disputed Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 6, 2025. On May 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On May 7, 2025, 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 May 8, 2025, 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 May 12, 2025.

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 May 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 5, 2025.

The Center appointed Yuzo Wada as the sole panelist in this matter on June 17, 2025. 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 operates a global travel search engine, enabling its customers to, inter alia, search and compare flights, hotels, and car hire. According to the Complainant, it makes use of the Skyscanner website "www.skyscanner.net", attracting approximately tens of millions of visits per month.

The Complainant holds a number of trademark registrations worldwide including:

- European Union designation of International trademark for SKYSCANNER, registered on March 3, 2006, Registration No. 900393, for travel search services in Classes 35, 38, and 39;
- International trademark Registration No. 1030086 for SKYSCANNER, designating registered trademark protection, registered on December 1, 2009, for travel search services in Classes 35, 39, and 42; hereinafter jointly referred to as the "Trademarks".

The Disputed Domain Name was registered on March 31, 2025.

No registered trademark for SKYSCANNER in Cambodia is confirmed in the Complaint. However, noting in particular the global nature of the Internet and Domain Name System, the jurisdiction where a trademark is valid is not considered relevant to panel assessment under the first element, WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.1.2.

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 Disputed Domain Name <mobilskyscanner.click> merely adds prefix 'mobil' which would be understood as a reference to a website accessible via mobile devices or mobility in relation to travel, and is highly similar to the Trademarks.

The Complainant alleges that the Respondent lacks any rights to or legitimate interests in the Disputed Domain Name.

The Complainant contends that the Respondent registered and is using the Disputed Domain Name in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy requires that the complainant prove each of the following three elements to obtain a decision that a domain name should be either cancelled or transferred:

- (i) the 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 domain name; and

(iii) the 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 a disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of the Trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds that the Complainant has registered rights in the mark SKYSCANNER. The Panel further finds that the Disputed Domain Name is confusingly similar to this mark, since the mere addition of the generic Top-Level-Domain ("gTLD") to the Disputed Domain Name does not negate the confusing similarity, neither does the addition of the prefix "mobil" to the Disputed Domain Name.

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

B. Rights or Legitimate Interests

Although the overall burden of proof in UDRP 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. [WIPO Overview 3.0](#), 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, *inter alia*, due to the fact that the Complainant has not given its consent for the Respondent to use its trademarks. 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

According to Paragraph 4(a)(iii) of the Policy, the following circumstances, in particular but without limitation, shall be evidence of the registration and use in bad faith:

(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such

conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

Based on the evidence submitted by the Complainant, the Panel finds that the Respondent registered and is using the Disputed Domain Name in bad faith.

The Disputed Domain Name was registered almost 20 years after the Complainant first acquired rights in the Trademarks. Without the authorization from the Complainant, the Disputed Domain Name resolves to a website that falsely presents itself as the Complainant, utilizing the Complainant's Trademarks, branding, and website layout to allegedly promote car rental services in Washington, D.C. On the website, the Respondent not only incorporates the exact figurative trademark of the Complainant, but also imitates the color that is used by the Complainant in the reproduction of the term "SKYSCANNER", and the layout of the website clearly resembles that of the Complainant's own website. This clearly gives Internet users the impression that the website is an official website of the Complainant or a website that is authorized by the Complainant which is not the case. The Respondent seeks to profit from the Complainant's reputation by creating the false impression that the website is operated by the Complainant.

Given the circumstances of the case, in particular the extent of use of the Complainant's trademark, and the reputation of the mark, it is inconceivable to the Panel in the current circumstances that the Respondent registered the Disputed Domain Name without prior knowledge of the Complainant and the Complainant's mark. Further, the Panel finds that the Respondent could not have been unaware of the fact that the Disputed Domain Name it chose could attract Internet users in a manner that is likely to create confusion for such users.

The Panel therefore finds that the Respondent by its registration and use of the Disputed Domain Name intentionally creates a likelihood of confusion as to the source, sponsorship, affiliation or endorsement of the Disputed Domain Name with the purpose of attracting Internet users to the website for commercial gain as per paragraph 4(b)(iv) of the Policy.

Noting that the Disputed Domain Name incorporates a widely-known trademark, that no response has been filed, and that there appears to be no conceivable good faith use that could be made by the Respondent of the Disputed Domain Name, and considering all the facts and evidence, the Panel therefore finds that the requirements of paragraph 4(a)(iii) of the Policy are also fulfilled in this case.

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 <mobilskyscanner.click> be transferred to the Complainant.

/Yuzo Wada/
Yuzo Wada
Sole Panelist
Date: July 1, 2025