

ADMINISTRATIVE PANEL DECISION

B&B Hotels v. John hojn, jio
Case No. DCO2025-0071

1. The Parties

The Complainant is B&B Hotels, France, represented by Fiducial Legal By Lamy, France.

The Respondent is John hojn, jio, Canada.

2. The Domain Name and Registrar

The disputed domain name <bdhotel.co> (the “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 August 27, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 28, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the 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 28, 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 amended Complaint on August 29, 2025.

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 September 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 24, 2025.

The Center appointed Ian Lowe as the sole panelist in this matter on September 26, 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 is a French company incorporated in May 1990. Since that date it has been offering services of hotels, restaurants, temporary accommodation and related booking services under the B&B HOTELS mark. It operates over 860 hotels across Europe and Brazil with 432 hotels operating in France. It also operates three hotels in Florida, United States of America ("United States").

The Complainant is the proprietor of a number of registered trademarks comprising "BB" and "HOTEL", (collectively the "BBHOTEL trademark"), including France trademark number 3182311 stylized word mark BBHOTEL registered as of August 29, 2002; France trademark number 3182312 stylized word mark HOTELBB registered as of August 29, 2002; France trademark number 3182313 stylized word mark BB-HOTEL, registered as of August 29, 2002; and, International trademark number 1706736 device mark B&B HOTELS registered on September 29, 2022 designating a number of jurisdictions including Canada and the European Union.

In addition, the Complainant owns a number of domain names comprising "bb" and "hotel" including <bbhotel.eu> (registered on July 7, 2011) and <bbhotel.org> (registered on October 30, 2023). These (and other similar domain names) resolve to the Complainant's principal website at "www.hotel-bb.com".

The Domain Name was registered on May 1, 2025. It does not resolve to an active website. According to the Whois data provided by the Registrar, the address of the Respondent is in Canada where French is one of the two official languages. The Respondent's email address is in the form "bb*****@[domain name for a Florida based construction company]". A person with a first name with the initial "B" and the surname B*****¹, identical to the remainder of the email username, is on LinkedIn and described as a Staff Accountant for that company.

5. Parties' Contentions

A. Complainant

The Complainant contends that the Domain Name is confusingly similar to its BBHOTEL trademark, that the Respondent has no rights or legitimate interests in respect of the Domain Name, and that the Respondent registered and is using the Domain Name in bad faith.

B. Respondent

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

6. Discussion and Findings

For this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

- (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 the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.7.

The Complainant has shown rights in respect of a trademark for the purposes of the Policy through its registered trademark for BBHOTEL. [WIPO Overview 3.0](#), section 1.2.1.

Ignoring the country code Top-Level Domain “.co”, the Domain Name comprises “bdhotel” which incorporates the entirety of the Complainant's BBHOTEL trademark save for the substitution of a letter “d” for the second letter “b”. The Panel finds that this minor variation does not prevent a finding of confusing similarity between the Domain Name and the trademark.

The Domain Name appears to be a classic example of typosquatting through letter substitution. As panels have consistently recognized, “a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element.” [WIPO Overview 3.0](#), section 1.9.

Accordingly, the Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights, and the first element of the Policy has been established.

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 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. Accordingly, 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 evidence, the Panel finds the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the 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 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.

In the present case, the Complainant's name and brand B&B HOTELS is well-known, particularly in France, and the Respondent seems to be located in Canada where French is one of the official languages. In addition, the Respondent's email address uses the domain name of a construction company in Florida where the Complainant owns all three of the hotels it operates in the United States. The term “BBHOTEL” is a

natural contraction of the Complainant's name and is a registered trademark of the Complainant for over two decades, and the Complainant has several domain names "bbhotel" domain names. In the circumstances, although the Complainant has a limited reputation outside Europe, given the apparent connection between the Respondent and the location of the Complainant's hotels in Florida, the Panel is satisfied on balance that the Respondent was aware of the Complainant and its rights in the BBHOTEL mark when registering the Domain Name.

Further, the typosquatting nature of the Domain Name — incorporating a deliberate misspelling through letter substitution — demonstrates that the Respondent is likely to have had the Complainant's mark specifically in mind when registering the Domain Name. Panels have consistently found that the mere registration of a domain name that is confusingly similar (particularly domain names comprising typos) to a widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith for the purposes of the Policy. [WIPO Overview 3.0](#), section 3.1.4.

Despite the fact that there appears to be no active use of the Domain Name, section 3.3 of the [WIPO Overview 3.0](#) notes that, from the inception of the UDRP, panelists have found that the non-use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding. It depends on the facts of the case, including "(i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put".

In this case, the Complainant's mark is distinctive; the Domain Name appears to be an attempt to mislead Internet users; and the Respondent has failed to respond to the Complaint.

Accordingly, the Panel finds that the Domain Name has been registered and is being used in bad faith, and the third element of the Policy has been established.

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 Domain Name <bdhotel.co> be transferred to the Complainant.

/Ian Lowe/
Ian Lowe
Sole Panelist
Date: October 10, 2025