

## **ADMINISTRATIVE PANEL DECISION**

Virgin Enterprises Limited v. Paul welba  
Case No. D2026-0233

### **1. The Parties**

The Complainant is Virgin Enterprises Limited, United Kingdom (“UK”), represented by Venner Shipley LLP, UK.

The Respondent is Paul welba, Canada.

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

The disputed domain name <virginhotelssuk.com> is registered with Key-Systems GmbH (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 21, 2026. On January 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 22, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 22, 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 January 23, 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 January 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 16, 2026.

The Center appointed Keiji Kondo as the sole panelist in this matter on February 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 is part of a group of companies collectively referred to as the Virgin Group (the “Virgin Group”) and is the owner of the VIRGIN brand and associated trademarks.

The businesses of the Virgin Group (the “Virgin Businesses”) span a diverse range of sectors covering financial services, health and wellness, music and entertainment (including games), retail, people and planet, telecommunications and media, travel and leisure, and space. There are currently more than 40 Virgin Businesses with tens of millions of customers worldwide and they employ more than 70,000 people across multiple business sectors and five continents.

The Complainant is responsible for registering and maintaining registrations for trademarks containing the VIRGIN name and VIRGIN signature logo and licensing these rights to the Virgin Businesses, which are all part of the Virgin Group. Owing to the breadth of products and services offered by Virgin Businesses, the Complainant owns a substantial portfolio of approximately 3,500 trademark applications and registrations in over 150 countries covering the majority of the 45 Nice classes of goods and services.

In particular, the Complainant owns the following trademark registrations:

- UK Registration No. 3423222 VIRGIN HOTELS in classes 41 and 43 (Registration Date: November 15, 2019); and
- United States of America (“US”) Registration No. 4865666 VIRGIN HOTELS in class 43 (Registration Date: December 8, 2015).

In addition to the above registered trademarks, the Complainant also has trademark registrations for the following logo (the “Virgin Hotels Logo”):



The Complainant has built up a considerable online presence and is the registered proprietor of over 7,000 domain names consisting of or incorporating “virgin”. The Complainant’s licensee, Virgin Red Limited (a Virgin Business and member of the Virgin Group) operates a website at “www.virgin.com” which has been in use since 2000 to promote the activities of the Virgin Group, including most Virgin Businesses, along with ventures and foundations of the Virgin Group (the “Virgin.com Website”). The Virgin.com Website contains links to the specific web pages for most of the companies in the Virgin Group.

In 2010, the Virgin Group launched Virgin Hotels; a project aimed at providing a smarter hotel alternative for travelers. The first Virgin Hotels hotel, located at the Old Dearborn Bank Building in downtown Chicago, US, was announced in 2011 and opened on January 26, 2014, offering 250 guest rooms, 40 one-bedroom suites and two luxury penthouses. Since then, Virgin Hotels has opened further hotels in Dallas (US) in December 2019, Nashville (US) in July 2020, Las Vegas (US) in March 2021, New Orleans (US) in August 2021, Edinburgh (UK) in 2022 and in New York City (US) in 2023, London (UK) in 2024. The Virgin Hotels business operates a website at “www.virginhotels.com” (the “Virgin Hotels Website”).

The disputed domain name was registered on October 19, 2025. It resolves to a website (the “Respondent’s Website”) that copies a substantial amount of the text and images as appeared on the Virgin Hotels Website in 2022.

## **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 is comprised of the components “virgin”, “hotels”, “s” and “uk”, and therefore incorporates the Complainant’s trademark VIRGIN HOTELS in its entirety. Internet users will overlook the additional “s” after “hotels” as a minor typographical error repeating the final letter of “hotels”. This error may also be typed inadvertently by Internet users looking for the genuine Virgin Hotels Website.

Internet users will understand the addition of the term “uk” in the disputed domain name as referring to the United Kingdom. Given the high profile of the Virgin Hotels brand and the significant reputation that exists in the Complainant’s trademark globally as well as in the UK, the addition of the descriptive geographical reference “uk” will clearly indicate to Internet users that the disputed domain name and the website to which it resolves is the online location for information relating to the Virgin Hotels business in the UK.

Therefore, the disputed domain name is confusingly similar to the Complainant’s trademark, and paragraph 4(a)(i) is satisfied.

The disputed domain name resolves to the Respondent’s Website, which copies the Virgin Hotels Website of 2022 almost identically. For example, the homepage of the Respondent’s Website copies a substantial amount of text and images from the Virgin Hotels Website of 2022. The mark that is identical to the Complainant’s trademark has also been reproduced throughout the Respondent’s Website without authorization. In particular, the Virgin Hotels Logo appears in the header and footer of every webpage on the Respondent’s Website.

The Respondent’s Website provides the contact phone number “8004”. This is clearly not a real phone number, and the number has no connection to the Complainant or the Virgin Hotels business.

The homepage of the Respondent’s Website has a “Book Now” option which allows the Internet user to select a hotel and go through the steps of selecting a day to stay. After selecting a date and hotel location and clicking continue, the Respondent’s Website then redirects to the Virgin Hotels Website. The “CHOOSE HOTEL” buttons also all redirect to the Virgin Hotels Website.

The Respondent’s Website provides the contact email address [...]@virginhotelssuk.com (the “Unauthorized Email Address”). The footer of the Respondent’s Website also prompts Internet users to enter their email address and zip code to “SIGN UP FOR NEWS AND OFFERS”. The Respondent’s Website also prompts Internet users to enter personal details including a name, email address, company name and phone number to submit a “Request for Proposal or Information”. In the Complainant’s experience of domain names that have been registered using its trademarks without authorization, the Unauthorized Email Address, invitation to sign up for news, and request for proposal or information boxes are likely to be used for phishing, to obtain sensitive or personal information for fraudulent commercial gain.

Neither the disputed domain name, the Respondent's Website, nor the Unauthorized Email Address have been authorized by or are in any way connected to the Complainant or the Virgin Hotels business. The use of the Complainant's trademark and the content of the Respondent's Website will clearly confuse Internet users into believing that the disputed domain name is operated by or connected to the Complainant or the Virgin Hotels business.

The fact the "Book Now" and "CHOOSE HOTEL" buttons on the Respondent's Website redirect to the Virgin Hotels Website will only exacerbate the confusion that will be caused on the part of the Internet users. The Respondent's Website is clearly designed to deceive members of the public into thinking that the Unauthorized Email Address is operated by or connected to the Complainant in order to encourage members of the public to disclose sensitive information or to obtain payments for illegitimate commercial gain. Such activity is illegal and not fair or legitimate use of the disputed domain name. This activity therefore indicates that the Respondent lacks legitimate interest in the disputed domain name.

There is no evidence that the Respondent has ever been commonly known by the disputed domain name, used or has plans to use the disputed domain name in connection with a bona fide offering of goods or services. Given the fact the disputed domain name incorporates the entirety of the Complainant's trademark identically and the blatant bad faith activity of copying the contents of the Virgin Hotels Website of 2022 on the Respondent's Website, it is hard to conceive of a legitimate use to which the disputed domain name could be put.

It is clear that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers.

On the basis of the above, the Complainant submits that on the balance of probabilities the Respondent does not have a legitimate interest or right in the disputed domain name, and that paragraph 4(a)(ii) of the Policy is satisfied.

The use of the disputed domain name as described above, namely to resolve to the Respondent's Website that copies a substantial amount of the text and images from the Virgin Hotels Website of 2022 and reproduces the Complainant's trademark without authorization, is clearly done to intentionally deceive consumers into thinking the disputed domain name is operated by or connected to the Complainant or the Virgin Hotels business. This is not use of the disputed domain name in good faith. It is also very likely that the Unauthorized Email Address and the sign-up function on the Respondent's Website are intended to be used for phishing purposes, which is to obtain personal details of members of the public for fraudulent commercial gain.

Considering the nature of the Respondent's use of the disputed domain name, it is hard to conceive that it could be put to use in good faith. The fact that the Internet users will be unable to use the Respondent's Website to reserve rooms and will not be able to obtain information from sending enquiries to the Unauthorized Email Address is likely to divert actual or prospective consumers away from the business of the Complainant and Virgin Hotels. This will be hugely disruptive to those consumers, the Complainant and the Virgin Hotels business.

It is clear that by using the disputed domain name, the Respondent has intentionally attempted to attract for commercial gain Internet users to the Respondent's Website and the Unauthorized Email Address, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's Website and the Unauthorized Email Address.

Bearing in mind the significant reputation that existed in the Complainant's trademark at the time the disputed domain name was registered, and that the Respondent has copied a substantial amount of the content of the Virgin Hotels Website of 2022, it is clear that the Respondent was aware of the Complainant and the Virgin Hotels business at the time of registering the disputed domain name.

The disputed domain name has therefore been registered and is being used in bad faith and therefore falls under paragraph 4(a)(iii) of the Policy.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 Select UDRP Questions (["WIPO Overview 3.1"](#)), section 1.7.

The Complainant has trademark registrations for its trademark VIRGIN HOTELS. The Complainant's trademark appears in the disputed domain name in its entirety. Addition of "s", and "uk" would not prevent a finding that the disputed domain name is confusingly similar to the Complainant's trademark.

The Panel finds 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 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.

The name of the Respondent is in no way similar to the disputed domain name. Accordingly, it is inconceivable that the Respondent has been known by the disputed domain name.

The disputed domain name resolves to a website that shows copies of a substantial amount of text and images from the website related to the Complainant's hotel business, though there is no business relationship between the Complainant and the Respondent. In addition, the homepage of the Respondent's Website ultimately leads Internet users to the website relating to the Complainant's hotel business. Further, the Respondent's Website also prompts Internet users to enter their email address and zip code to "SIGN UP FOR NEWS AND OFFERS". The Respondent's Website also prompts Internet users to enter personal details including a name, email address, company name and phone number to submit a "Request for Proposal or Information". The Respondent Website provides the contact email address with the disputed domain name, namely, [...]@virginhotelssuk.com, but Internet users would never reach the Complainant with it.

All these facts demonstrate that the Respondent's use of the disputed domain name is neither a use in connection with a bona fide offering of goods or services, nor a legitimate noncommercial or fair use.

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 Panel notes that the Complainant's trademark was registered in the US in 2015, and in the UK in 2019. On the other hand, the disputed domain name was registered in October 2025, after the Complainant's hotel business became regarded as success. In addition, the Respondent website leads Internet users to the website related to the Complainant's hotel business (i.e. the "Book Now" and "CHOOSE HOTEL" buttons on the Respondent's Website redirect to the Complainant's website).

Accordingly, the Panel finds that the Respondent was aware of the Complainant's trademark at the time of registration of the disputed domain name, and the Respondent registered, and has been using, the disputed domain name in an intentional attempt to attract, for commercial gain, Internet users to the Respondent website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Complainant's website.

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 <virginhotelssuk.com> be transferred to the Complainant.

*/Keiji Kondo/*

**Keiji Kondo**

Sole Panelist

Date: March 4, 2026