

ADMINISTRATIVE PANEL DECISION

Skyscanner Limited v. vishal nareddy, personnel
Case No. D2025-0250

1. The Parties

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

The Respondent is vishal nareddy, personnel, India.

2. The Domain Name and Registrar

The disputed domain name <skyscannerss.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 22, 2025. On January 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 23, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 27, 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 January 28, 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 February 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 3, 2025.

The Center appointed Áron László as the sole panelist in this matter on March 10, 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, a United Kingdom limited company, is a search aggregator and travel agency based in Edinburgh, Scotland.

The Complainant is the owner of many trademarks worldwide including:

- Indian trademark for SKYSCANNER No. 1890840 registered on December 2, 2009;
- International Registration designating inter alia the United States of America for SKYSCANNER No. 900393 registered on March 3, 2006;
- International Registration designating inter alia the European Union, Switzerland, Türkiye, Russian Federation, and Australia for SKYSCANNER No. 1030086 registered on December 1, 2009.

The Complainant has provided a list of trademarks covering various jurisdictions worldwide.

The Complainant's main website is "www.skyscanner.net", which attracts tens of millions of unique visitors per month. The SKYSCANNER smart device application has been downloaded over 70 million times. The Complainant's services are available in over 30 languages and 70 currencies. In the month of October 2024, the Complainant's core website was visited 32.6 million times and is ranked 1301st in the world for Internet traffic and engagement and 95th in the United Kingdom. Previous panels have established the reputation of the trademark.

The disputed domain name was registered on October 29, 2024. The disputed domain name is parked with the Registrar, and it is not in use.

No information on the Respondent is available.

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 confusingly similar to its trademarks. The Complainant is the owner of several SKYSCANNER trademarks, which are immediately recognizable in the disputed domain name, which only adds the letter "s" to the trademarks, making it confusingly similar to the trademarks.

In relation to the second element, the Complainant submits that the Respondent does not have any registered rights in any of the trademarks that make up part or all of the disputed domain name. Furthermore, the term "skyscanner" is not descriptive in any way, nor does it have a generic, dictionary meaning. The disputed domain name is inactive. Given the reputation of the Complainant's mark and the fact that no other individual or company has registered trademark rights in the SKYSCANNER mark, not only is it likely that the Respondent was aware of the Complainant's rights prior to registering the disputed domain name, but it is also inevitable that visitors to the disputed domain name will mistakenly believe that there is an association with the Complainant. The Complainant has made a prima facie showing that the Respondent has no rights or legitimate interests in the disputed domain name. While the Complainant has the burden of proof, the burden of production shifts so that it is now incumbent upon the Respondent to rebut the Complainant's prima facie case.

As to the third element, the Complainant submits that the disputed domain name was registered in 2024, while the Complainant's registered rights date back to 2002. Therefore, the Respondent must have been

aware of the reputation of the Complainant's business at the time the disputed domain name was registered. The Complainant's trademark also received significant international media attention in November 2016, after the Complainant was acquired by China's largest online travel agency in a deal worth approximately GBP 1.4 billion.

While the disputed domain name is inactive, the overwhelming likelihood is that the Respondent intends to sell it to the Complainant, a competitor, or a critic. Alternatively, it may intend to set up a service in direct competition with the Complainant's service or, as is likely to be the case here, to impersonate the Complainant. In any event, the Respondent has registered a domain name that it cannot lawfully use. This in itself amounts to registration and use in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable. Paragraph 4(a) of the Policy requires that a complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- i. the domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- 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.

In view of the Respondent's failure to submit a Response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a), and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules.

The Panel may accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint wholly contains mere conclusory or unsubstantiated arguments. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 4.3.

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 3.0](#), section 1.7.

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

The entirety of the mark SKYSCANNER is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 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. 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 mere parking of the disputed domain name does not constitute use in connection with a bona fide offer of goods or services under the circumstances of this case. The composition of disputed domain name, which incorporates the Complainant’s trademark SKYSCANNER in its entirety, may cause Internet users confusion, as they are likely to ignore or overlook the additional letters added after the Complainant’s trademark in the disputed domain name.

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.

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 3.0](#), section 3.2.1.

Panels have found that the non-use of a domain name (including a parking page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

The Complainant’s SKYSCANNER trademark predate the registration of the disputed domain name and is well known throughout the world. Therefore, the Respondent must have been aware of the Complainant’s brand and earlier trademarks when it registered the disputed domain name. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant’s trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case, the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

All of the above circumstances, together with the reputation of the Complainant’s marks, the fact that the Respondent’s name was originally masked, and that the Respondent has not defended its case, lead the Panel to conclude that the Respondent has registered and is using the disputed domain name in bad faith.

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 <skyscannerss.com> be transferred to the Complainant.

/Áron László/

Áron László

Sole Panelist

Date: March 24, 2025