

ADMINISTRATIVE PANEL DECISION

Celebrity Cruises Inc, v. Reed Mueller
Case No. D2025-0385

1. The Parties

The Complainant is Celebrity Cruises Inc., a Liberia corporation with a principal place of business in the United States of America ("United States"), represented by Knobbe, Martens, Olson & Bear, LLP, United States.

The Respondent is Reed Mueller, United States.

2. The Domain Name and Registrar

The disputed domain name <celebritycruiseline.com> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 31, 2025. On January 31, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 1, 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, Super Privacy Service Ltd c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 7, 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 February 11, 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 February 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 12, 2025.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on March 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 is a Liberia corporation with a principal place of business in Miami, Florida, United States. The Complainant owns 16 cruise ships with approximately 35,000 total berths and operates them globally, making it one of the largest cruise providers in the world.

The Complainant states that it has operated under the heavily advertised CELEBRITY CRUISES mark since 1989, when it began providing luxury cruises from the United States to Bermuda, United Kingdom. By 1997 the Complainant was operating six cruise ships, with approximately 6.5% of the global cruise market measured by available berths. Sales increased every year, exceeding USD 13.9 billion in 2023. The Complainant currently carries approximately 1.3 million passengers annually to 77 countries.

The record shows that the Complainant has maintained its website at “www.celebritycruises.com” since 1998, with hundreds of thousands to millions of unique monthly visitors, as well as social media sites with large followings (such as 1.6 million followers on Facebook).

The Complainant has registered CELEBRITY CRUISES and other marks that consist of the word “celebrity” and one or more other words in many jurisdictions, including the Australian trademark registration number 734011 for CELEBRITY CRUISES INC., registered on May 8, 1997, in International Class 39. The Complainant’s United States registered marks include the following:

Mark	Registration Number	Registration Date	Goods or Services
CELEBRITY SUMMIT (word)	2743297	July 29, 2003	International Class 39
CELEBRITY XPEDITION (word)	3165629	October 31, 2006	International Class 39
CELEBRITY CRUISES (word)	7139056	August 15, 2023	International Class 39

The Registrar reports that the disputed domain name was created on November 16, 2000, and is registered to the Respondent Reed Mueller, listing a postal address in the State of California, United States, and a contact email address using the domain name <icloud.com>, which offers cloud-based storage and privacy services such as “Hide My Email” for users of iPhones and other Apple devices.

The disputed domain name resolves to a landing page with third-party pay-per-click (“PPC”) advertising links (labelled as “Sponsored”). These links prominently relate to cruises, using the Complainant’s name but not actually linking to the Complainant’s website. Reviewing screenshots preserved by the Internet Archive’s Wayback Machine, it appears that the disputed domain name often has been similarly parked for PPC advertising over the years since it was registered. At times the disputed domain name has resolved to an “Under Construction” message, or a parking page advertising domain name and hosting services. It is possible that the disputed domain name has changed ownership since its creation in November 2000, but historical Whois records are not included in the record.

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 CELEBRITY CRUISES mark and CELEBRITY derivative marks. The Complainant asserts that it has not given the Respondent permission to use these marks, and there is no evidence that the Respondent is commonly known by a corresponding name. The Complainant contends that the Respondent has not used the disputed domain name for a bona fide offering of goods or services but instead is only using it in bad faith to attract Internet users to other websites misleadingly advertising cruises using the Complainant's mark.

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 Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark (the registered CELEBRITY CRUISES mark and registered "celebrity" derivative marks) for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the Complainant has also established unregistered trademark or service mark rights in CELEBRITY CRUISES for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3. This is not essential for the first element of the Policy but is important for establishing bad faith under the third element. The Panel notes that the Complainant claimed first use in commerce in 1989 in applying to register this mark in the United States, and the record supports the claim that the mark was in use and advertised continuously from that year, reaching a substantial market.

The Panel finds the CELEBRITY CRUISES and "celebrity" derivative marks are recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, the word "line") may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 Complainant denies granting permission to the Respondent to use its marks, and there is no evidence suggesting that the Respondent is known by a corresponding name. Panels have routinely rejected the implication that the use of a disputed domain name for a landing page with PPC advertising, especially directing visitors to competing websites, represents a respondent's "bona fide offering of goods or services" as contemplated by the Policy, paragraph 4(c)(i). [WIPO Overview 3.0](#), section 2.9.

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, as noted above, it must be assumed without evidence to the contrary that the Respondent is the original registrant of the disputed domain name in 2000. The Panel finds on this record that the Complainant's CELEBRITY CRUISES mark was well established by then and subject to protection as a common law mark. The Panel finds further that the Respondent was more probably than not aware of that mark and targeted it. It is a heavily advertised consumer mark in the United States, where the Respondent is located, with a strong online presence, as documented in the record. The disputed domain name differs only by dropping the plural "s" from the word "cruises" and substituting the word "line", a word that is used to refer to a company that transports passengers (see Cambridge Dictionary online). The Panel notes that the search algorithm for the PPC landing page associated with the disputed domain name overwhelmingly generates links referring to the Complainant.

The Panel concludes on this record that the parking of the disputed domain name for PPC advertising over a period of years, and its use to advertise competing services, reflects bad faith for purposes of the Policy, as described in paragraph 4(b)(iv) of the Policy, attempting to attract Internet users to other sites for commercial gain by creating confusion with the Complainant's mark.

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 <celebritycruiseline.com> be transferred to the Complainant.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: March 28, 2025