

ADMINISTRATIVE PANEL DECISION

The Ritz Hotel (London) Ltd v. Saleh Mohammed
Case No. D2025-0783

1. The Parties

The Complainant is The Ritz Hotel (London) Ltd, United Kingdom, represented by Stobbs IP Limited, United Kingdom.

The Respondent is Saleh Mohammed, Qatar, self-represented.

2. The Domain Name and Registrar

The disputed domain name <ritzcontinental.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 February 27, 2025. On February 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 28, 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 (Unknown / Registration Private, Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 3, 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 March 7, 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 March 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 7, 2025. The Respondent sent two email communications to the Center on April 6 and April 7, 2025. The Center acknowledged receipt of the Response and notified the commencement of panel appointment process on April 7, 2025.

The Center appointed Marilena Comanescu as the sole panelist in this matter on April 9, 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, incorporated in November 1899, is active in the provision of hotel and restaurant services since 1906, and operates a global hotel and restaurant business, with its main operations in the United Kingdom. The Complainant's name "RITZ" originates from the hotelier César Ritz.

The Complainant received significant recognition since at least 1906, with Winston Churchill, Dwight Eisenhower and Charles de Gaulle meeting at the Complainant's premises during the Second World War; and welcoming notable guests including Charlie Chaplin, Sir Roger Moore, Queen Elisabeth The Queen Mother, King Charles III and Queen Camilla; as well as obtaining multiple awards and accolades in its industry, such as four AA Rosettes, one Michelin Star, and a Royal Warrant for Banqueting and Catering Services by King Charles III, formerly HRH The Prince of Wales.

On March 25, 2020, the Complainant and its RITZ brand were acquired by Mr. Abdulhadi Al-Hajri. The acquisition was subject to significant press coverage.

The Complainant owns registered trademarks for or incorporating RITZ, such as the following:

- the United Kingdom Trade Mark number UK00002275348 for RITZ (word), filed on July 16, 2001, registered on January 25, 2002, covering services in International Class 36; and
- the European Union Trade Mark number 01703974 for RITZ (word), filed on June 5, 2000, registered on April 15, 2005, covering services in International Class 41.

The Complainant's corporate website is available under the domain name <theritzlondon.com>.

The disputed domain name <ritzcontinental.com> was registered on June 12, 2023, and, at the time of filing of the Complaint, resolved to a website advertising hospitality services, under the name RITZCONTINENTAL, providing contact details, such as telephone numbers and physical address, in Estonia. The section "About Us" provides general statements, such as "RITZCONTINENTAL Hospitality Management is to provide exceptional hotel management services and to create value in hotel investments".

The Respondent is a Qatari natural person.

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 mainly the following:

- RITZ trademark is not a common term in English and it is unique to the Complainant;
- RITZ trademark is internationally recognized for premium hotel services, resort accommodations, restaurant and catering services, event management, and hospitality management;

- the disputed domain name is confusingly similar to its trademark since it reproduces the RITZ mark in its entirety, with the mere addition of the word “continental”;
- the Respondent has no rights or legitimate interests in the disputed domain name;
- the Respondent is not an affiliated company or licensee of the Complainant;
- there is no business or legal relationship between the Complainant and the Respondent and/or the disputed domain name;
- given the Complainant's longstanding reputation and goodwill in its industry, the registration of the disputed domain name by the Respondent appears to have no legitimate purpose other than to unfairly exploit the Complainant's brand recognition, mislead consumers, and capitalise on the valuable reputation of the RITZ name in the hospitality industry;
- the incorporation of the distinctive RITZ mark within the disputed domain name, which serves as a well-established indicator of trade origin exclusively associated with the Complainant and the luxury hotel management industry, strongly suggests that the Respondent's registration was made in bad faith;
- the Respondent registered the disputed domain name on June 12, 2023, by that point the Complainant already had extensive rights in the RITZ brand, with a strong reputation in the luxury hotel sector since as early as 1906, and, a basic due diligence, such as a search on any of the most commonly used Internet search engines, would have revealed the Complainant's brand;
- the combination of the well-known RITZ trademark and the term “continental”, which is widely used in the hospitality industry, does not establish a legitimate interest in the disputed domain name, instead, demonstrates an attempt to create confusion and exploit the Complainant's brand recognition;
- the disputed domain name has been registered primarily for the purpose of disrupting the business of a competitor;
- the use of the disputed domain name for advertisement of hospitality services and financial services, under the Complainant's brand, directly compete with the goods and services offered by the Complainant;
- the Respondent has registered the disputed domain name to prevent the Complainant from owning the disputed domain name or to force the Complainant to pay for its own intellectual property;
- the Respondent's use of the Complainant's trademark to divert Internet traffic away from the Complainant's official website, leading to the consumer confusion and potential loss of business for the Complainant, is bad faith use under the Policy.

B. Respondent

The Respondent replied mainly the following:

- for over one year, it holds and operates in good faith, a company named RITZCONTINENTAL OÜ, legally registered in Estonia and such entity has no affiliation or commercial connection with the Ritz London or any Ritz-Carlton entity;
- the Respondent's name is distinct in both form and presentation from the Complainant's trademarks since the Respondent's company name RITZCONTINENTAL is presented as a single word, purposely structured this way in order to clearly differentiate it from the existing hotel or hospitality brands such as “The Ritz” or “Ritz-Carlton”;
- given the difference in name structure, geographical base, and marketing positioning, the Respondent strongly believes there is no likelihood of confusion between RITZCONTINENTAL and “The Ritz London”;
- the request to take over the disputed domain name is unjustified since the disputed domain name reflects the Respondent's legally registered business name and its right to operate under such name. The Respondent strongly objects to any attempt to strip it from the disputed domain name, which has been developed in line with its legitimate business activities;
- the Respondent is prepared to explore the market under the name RITZCONTINENTAL, supported by its company official registration and branding efforts, since the Respondent believes in fair competition and innovation, and is committed to conducting business with respect to international Intellectual Property laws and practices.

The Respondent submitted as evidence, a document in Estonian language, of what was claimed to be a document attesting the registration of his commercial company named "RITZCONTINENTAL OU" in Harju County, Tallinn, Estonia. According to such document, the Respondent appears to be the sole shareholder and sole member of the management board; the share capital is of 1 Euro, and the entry into force of the company's Constitutive Act is April 19, 2024.

6. Discussion and Findings

Under the Policy, the Complainant is required to prove on the balance of probabilities that:

- (i) the disputed domain name 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 the disputed domain name; and
- (iii) the disputed 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 or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the RITZ mark is recognizable 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.

While the addition of other term (here "continental"), may bear on assessment of the second and third elements, the Panel finds the addition of such 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 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.

According to the Response, the Respondent asserts that it has rights and legitimate interests in the disputed domain name by virtue of his incorporation of the Estonian company RITZCONTINENTAL OÜ. The Respondent has submitted a proof of incorporation of this company.¹

The disputed domain name is confusingly similar to the Complainant's mark and has been used to promote identical services to those of the Complainant. Furthermore, on the website under the disputed domain name, there is no accurate and prominent information about the entity operating such website.

At the same time, the Complainant's RITZ trademark is extensively used for more than a century and it is well-known worldwide in relation to hospitality services.

Therefore, the Panel finds, having considered the Respondent's reliance on a company registration against the circumstances of this proceeding overall, that the company registration was obtained primarily to try to circumvent the application of the UDRP and cannot be bona fide and cannot support a claim of rights or legitimate interests. The [WIPO Overview 3.0](#), section 2.12.2 states as much in respect of respondent-owned trademarks, and the same should likewise hold for company registrations.

Further, the composition of the disputed domain name which combines the Complainant's well-known trademark with a dictionary term, used in the relevant industry, suggests an affiliation with the trademark owner. UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1.

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 disputed domain name was registered in bad faith, with knowledge of the Complainant and its trademarks particularly because the disputed domain name incorporates the Complainant's trademark together with a dictionary term, and the RITZ trademark predates the registration of the disputed domain name (as well as the Respondent's Estonian entity) by more than 20 years and is highly distinctive and well-known worldwide.

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.

According to the evidence provided in the Complaint, the disputed domain name was used in relation to a webpage promoting services identical to those provided by the Complainant under its RITZ trademark.

¹ The Panel has independently considered the Estonian portal for legal persons ("<https://ariregister.rik.ee/eng>") regarding entries for RITZCONTINENTAL OÜ. [WIPO Overview 3.0](#), section 4.8.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt “to attract, for commercial gain, Internet users to [the respondent’s] web site or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of [the respondent’s] web site or location or of a product or service on [the respondent’s] website or location” is evidence of registration and use in bad faith.

Given that the disputed domain name incorporates the Complainant’s well-known trademark together with a dictionary term, and the website operated under the disputed domain name promotes hospitality services, displays the name “RITZCONTINENTAL”, claims copyright protection, and fails to provide accurate and prominent information about the entity operating the website under the disputed domain name, indeed in this Panel’s view, the Respondent has intended to attract Internet users accessing the website corresponding to the disputed domain name who may be confused and believe that such website is held, controlled by, or somehow affiliated with or related to the Complainant, for the Respondent’s commercial gain.

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 <ritzcontinental.com> be transferred to the Complainant.

/Marilena Comanescu/

Marilena Comanescu

Sole Panelist

Date: April 17, 2025