

ADMINISTRATIVE PANEL DECISION

Travelscape, LLC v. Candie Deloach, Excella
Case No. D2025-1474

1. The Parties

The Complainant is Travelscape, LLC, United States of America ("U.S."), represented by Kilpatrick Townsend & Stockton LLP, U.S.

The Respondent is Candie Deloach, Excella, U.S.

2. The Domain Name and Registrar

The disputed domain name <travelocitey.com> (the "Disputed Domain Name") is registered with Sav.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 10, 2025. On April 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 11, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 11, 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 April 14, 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 April 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 8, 2025.

The Center appointed Purvi Patel Albers as the sole panelist in this matter on May 20, 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 owned by one of the largest travel companies, Expedia, Inc. The Complainant, along with its predecessors-in-interest, established TRAVELOCITY in 1996, a direct-to-consumer travel brand for leisure and business travel services. The Complainant's website, <travelocity.com>, allows consumers to manage their upcoming travel reservations and research information about potential destinations.

The Complaint includes evidence of ownership of several registrations for TRAVELOCITY around the world, claiming use dating back to as early as March 1996, including but not limited to:

- U.S. Registration No. 2,254,700 for TRAVELOCITY (registered June 22, 1999) for use in connection with "electronic retailing featuring travel related items; airline, car rental, tour package reservations services via a global computer network; providing airline, car rental, tour package, and general travel information via a global computer network; and providing hotel information and reservation services via a global computer network";
- U.S. Registration No. 2,466,132 for TRAVELOCITY (registered July 3, 2001) for use in connection with "online retail services in the field of travel; providing online chat rooms for transmission of messages among computer users concerning travel; transportation reservation services, namely, airline reservation services, rental of cars, and arranging travel tours via a global computer network; and travel information services via a global computer network";
- Canada Registration No. TMA521262 for TRAVELOCITY (registered January 11, 2000) for use in connection with "computerized online electronic retail services in the fields of clothing, gifts, flowers and travel-related items; airline, car rental, tour package reservations services via a global computer network; providing airline, car rental, tour package, and general travel information via a global computer network; providing hotel information and reservation services via a global computer network; and computer chat room services, namely, providing online facilities for real time interaction with other computer users concerning topics related to travel";
- Mexico Registration No. 638097 for TRAVELOCITY (registered January 25, 2000) for use in connection with "reservation services in airlines, car rental and tour packages through a global network of computers; and provision of information on airlines, car rental, tour packages and general travel information through a global network of computers"; and
- European Union Registration No. 000163642 for TRAVELOCITY (registered September 14, 2001) for use in connection with "computer software product providing travel information and reservation services; such software not being intended for navigation systems or for mobile telephone systems; and transportation services, namely, providing computerized travel data and reservations services."

The Disputed Domain Name was registered on December 2, 2024. The Disputed Domain Name redirected to a third-party site before ultimately redirecting to the Complainant's official website at <travelocity.com>.

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 it has rights in the TRAVELOCITY mark due in particular to the trademark registrations mentioned above. The Complainant further asserts that the Disputed Domain Name is confusingly similar to the TRAVELOCITY mark.

The Complainant also contends that the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Complainant asserts it has not authorized the Respondent to use or register the Disputed Domain Name. The Complainant further asserts that the Respondent is not using the Disputed Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use because the Respondent is using the deceptively similar domain name to direct consumers through an advertising referral network before redirecting to the Complainant's own website.

Finally, the Complainant contends that the Disputed Domain Name was registered and is being used in bad faith because, among other things, the Respondent is intentionally attempting to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Disputed Domain Name.

B. Respondent

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

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, to succeed in this dispute, the Complainant must establish that:

- i. the Disputed Domain Name is identical or confusingly similar to a trademark in which the Complainant has rights,
- ii. the Respondent has no rights or legitimate interests in respect of 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 for purposes of the Policy through the trademark registrations cited above. Thus, the Complainant has provided prima facie evidence of trademark rights. [WIPO Overview 3.0](#), section 1.2.1.

Where a domain name incorporates the entirety of a trademark, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing. [WIPO Overview 3.0](#), section 1.7. [WIPO Overview 3.0](#), section 1.9 makes clear that 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.

The Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's TRAVELOCITY trademarks. The mark is clearly recognizable within the Disputed Domain Name – differing only in that the Disputed Domain Name merely adds the letter "e" in the "city" portion of the mark. This conduct is commonly referred to as "typosquatting". See *ESPN, Inc. v. XC2*, WIPO Case No. [D2005-0444](#); *Longs Drug Stores California, Inc. v. Shep Dog*, WIPO Case No. [D2004-1069](#); *Disney Enterprises, Inc. v. John Zuccarini*, *Cupcake City and Cupcake Patrol*, WIPO Case No. [D2001-0489](#) (disputed domain names include

<disneychanel.com>, <disneywolrd.com>, <walddisney.com>); and *United Feature Syndicate, Inc. v. Mr. John Zuccarini*, WIPO Case No. [D2000-1449](#).

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 Disputed Domain Name was registered 25 years after the Complainant received its first U.S. registration for the TRAVELOCITY mark and 28 years after the Complainant began using the mark. The Complainant has not authorized the Respondent to use said mark or register a domain name incorporating it. There is also no evidence showing that the Respondent is, or has been, known as “travelocitey” or similar.

The Panel finds that the Respondent has no rights or legitimate interests in the Disputed Domain Name. When Internet users attempt to access the Disputed Domain Name, they are redirected to the Complainant’s official <travelocity.com> website. Panels have found that using a confusingly similar domain name to redirect to the complainant’s own website is not a bona fide offering of goods or services. See, e.g., *FXCM Global Services LLC v. WhoisGuard Protected, Whoisguard Inc. / Jenny Sohia*, WIPO Case No. [D2018-1111](#) (“Use of the disputed domain name to redirect Internet users to Complainant’s own website cannot confer any rights or legitimate interest in the disputed domain name to Respondent.”); *Mandarin Oriental Services B.V. v. Domain Administrator, Matama*, WIPO Case No. [D2017-0615](#) (“[...] the fact that the Respondent was redirecting the disputed domain name to the Complainant’s own website, and that it was (later) using it in connection with a monetized parking page does not constitute rights or legitimate interests of the Respondent in the disputed domain name.”); *Ann Summers Limited v. Domains By Proxy, LLC / Mingchun Chen*, WIPO Case No. [D2018-0625](#) (“Furthermore, panels have found that unauthorized redirection to Complainant’s website does not serve as evidence of rights or legitimate interests.”); and *Carrefour v. WhoisGuard, Inc., WhoisGuard Protected / Robert Jurek, Katrin Kafut, Purchasing clerk, Starship Tapes & Records*, WIPO Case No. [D2017-2533](#)).

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.

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 particular, paragraph 4(b)(iv) of the Policy provides that the intentional use of a domain name to attract users to a website for commercial gain, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or

endorsement of the website, is evidence of bad faith in the registration and use of the domain name. In the present case, the Respondent registered the Disputed Domain Name more than 20 years after the Complainant received registrations for and began using the TRAVELOCITY mark. The Respondent is diverting Internet users looking for the Complainant's services to the website at the Disputed Domain Name, redirecting them through a third-party advertising network system, for which the Respondent most likely receives some commercial gain, before redirecting them to the Complainant's official website. As such, it seems improbable that the Respondent was unaware of the Complainant at the time of registration. The Panel finds that the Respondent is using the Disputed Domain Name to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the TRAVELOCITY trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

Further, it is well-settled that the practice of typosquatting, of itself, is a factor supporting an inference of bad faith registration of a domain name. See, *Longs Drug Stores Cal., Inc. v. Shep Dog*, WIPO Case No. [D2004-1069](#); *Lexar Media, Inc. v. Huang*, WIPO Case No. [D2004-1039](#) ("Typosquatting has been held under the Policy to be evidence of bad faith registration of a domain name."); and *Wal-Mart Stores, Inc. v. Longo*, WIPO Case No. [D2004-0816](#) ("[typosquatting] is presumptive of registration in bad faith"). In the present case, the Respondent has registered the Disputed Domain Name that is nearly identical to the Complainant's trademark and official website. As discussed above, this is a form of typosquatting, which reinforces the finding of bad faith registration.

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 <travelocitey.com> be transferred to the Complainant.

/Purvi Patel Albers/

Purvi Patel Albers

Sole Panelist

Date: June 3, 2025