

## **ADMINISTRATIVE PANEL DECISION**

American Airlines, Inc. v. High Tech Investments LTD  
Case No. D2025-2157

### **1. The Parties**

The Complainant is American Airlines, Inc., United States of America (“Unites States”), represented by Greenberg Traurig, LLP, United States.

The Respondent is High Tech Investments LTD, Seychelles.

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

The disputed domain name <americanairines.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 June 2, 2025. On June 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 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 (on behalf of americanairines.com OWNER c/o whoisproxy.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 14, 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 June 19, 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 July 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 6, 2025.

The Center appointed Alfred Meijboom as the sole panelist in this matter on August 12, 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 was established more than 90 years ago and is currently one of the largest air carriers in the world. The Complainant and its affiliates serve over 350 destinations in more than 50 countries, with nearly 7,000 daily flights.

For decades, the Complainant has used and continues to use its name “American Airlines” (abbreviated “AMERICAN”) and numerous trademarks and service marks including AA, AMERICAN, and AMERICAN AIRLINES, and others, both alone and in connection with other words and designs. The Complainant is the owner of numerous trademark registrations for AMERICAN AIRLINES worldwide, including:

- United States trademark AMERICAN AIRLINES, with registration number 514,294 of August 23, 1949 for services in class 39;
- United States trademark AMERICAN AIRLINES, with registration number 1,845,693 of July 9, 1994 for goods in class 25; and
- European Union trademark AMERICAN AIRLINES, with registration number 000153726 of March 29, 1999 for goods and services in classes 14, 16, 18, 25, 28, 34 and 39.

The Complainant owns and operates the domain names <aa.com> and <americanairlines.com>, which redirects to <aa.com> where the Complainant’s primary website is hosted, in addition to numerous other domain names incorporating the terms “American” and “American Airlines.” The Complainant is also active on social media and has over 2.7 million followers on Facebook and 1.6 million followers on X.

The disputed domain name was registered on October 2, 2002, and resolves to a parking page with pay-per-click (“PPC”) or affiliate advertising links that redirect to websites that are competitive with the Complainant. The disputed domain name has active MX (mail exchange) records.

#### **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 the Complainant’s AMERICAN AIRLINES trademark, which it incorporates in full, changing the mark only by removing the letter “I” in “airlines.”

Further, the Complainant alleges that the Respondent has no rights or legitimate interests in respect of the disputed domain name because the Respondent is not commonly known by the disputed domain name, and has not used or prepared to use the disputed domain name in connection with a bona fide offering of goods or services, and has not been authorized, licensed, or otherwise permitted by the Complainant to register and/or use the disputed domain name.

According to the Complainant, the Respondent has also registered the disputed domain name in bad faith because, long after the Complainant established its rights in its AMERICAN AIRLINES trademarks, and with knowledge of those marks, the Respondent acquired the disputed domain name to redirect Internet traffic to competitive websites garnering PPC or affiliate advertising revenue for the Respondent’s commercial gain.

The Complainant alleges that this conduct demonstrates bad faith registration and use because the Respondent is using the disputed domain name to intentionally attract Internet users to the Respondent's websites and PPC advertising for the purposes of commercial gain, causing disruption of the Complainant's business and creating a likelihood of confusion regarding source, sponsorship, affiliation, or endorsement. Also, the Complainant contends that the disputed domain name has active MX (mail exchange) records, which indicate use for emails which evidences a likelihood of additional bad faith use of the disputed domain name to engage in fraudulent email or phishing communications. Furthermore, the Complainant pointed out that panels in previous domain name disputes found the Respondent to have registered domain names incorporating third-party trademarks in which the Respondent was found to not have any rights or legitimate interests and to have registered and used the disputed domain names in bad faith<sup>1</sup>, so that the Respondent has engaged in a pattern of such conduct which is evidence of bad faith registration and use of the disputed domain name. Finally, the Complainant alleges that the mere fact that the Respondent has registered the disputed domain name which incorporates the famous AMERICAN and AMERICAN AIRLINES marks of the largest airline in the world is alone sufficient to give rise to an inference of bad faith.

## **B. Respondent**

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

## **6. Discussion and Findings**

The Respondent did not file a Response. However, as set out in section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), the consensus view of UDRP panels is that the respondent's default does not automatically result in a decision in favor of the Complainant. The Complainant must still establish each of the three elements required by paragraph 4(a) of the Policy. The Panel may draw appropriate inferences from the Respondent's default, paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in this proceeding. Paragraph 14(b) of the Rules provides that, in the absence of exceptional circumstances, the panel shall draw such inferences as it considers appropriate from a failure of a party to comply with a provision or requirement of the Rules. The Panel finds that in this case there are no such exceptional circumstances.

Under the Policy, the Complainant must prove 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 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 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.

---

<sup>1</sup> The Complainant mentioned *Twitter, Inc. v. High Tech Investments LTD*, WIPO Case No. [DCH2011-0030](#), *Andrey Ternovskiy dba Chatroulette v. On behalf of chatroulette.com OWNER, c/o whoisproxy.com / Domain Admin, High Tech Investments LTD*, WIPO Case No. [D2019-0649](#), and *Accor v. c/o Whoisproxy.com / Domain Admin, High Tech Investments Ltd*, WIPO Case No. [D2019-0984](#).

The Panel finds that the fact that the disputed domain name is missing one letter from the Complainant's trademark AMERICAN AIRLINES is a clear case of typo squatting that does not prevent the Complainant's trademark from being recognized in the disputed domain name.

The Panel finds that the disputed domain name is confusingly similar to the mark in which the Complainant has rights, and that 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 Panel is satisfied that the Respondent is not commonly known by the disputed domain name and that the use made of the disputed domain name which resolves to a website with PPC links that redirect to websites that are competitive with the Complainant does neither constitute use of the disputed domain name with a bona fide offering nor legitimate noncommercial or fair use of the disputed domain name. [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, the Panel is satisfied that the Complainant's AMERICAN AIRLINES trademark is well-known and, in absence of an explanation to the contrary which the Respondent did not offer, that it is therefore likely that the Respondent must have had the AMERICAN AIRLINES trademark in mind when it registered the disputed domain name, which was therefore made in bad faith.

Further, the Respondent's use of the disputed domain name which resolves to a website with PPC links which eventually link to websites that compete with the Complainant's activities result in a finding of use of the disputed domain name in bad faith. The Panel further infers from the fact that the Respondent has undisputedly set up MX records, and also taking into account the nature of the disputed domain name, which is very similar to the Complainant's AMERICAN AIRLINES trademark, that it is likely that the Respondent has been using the disputed domain name to send emails for illegal activities such as phishing and/or sending spam. It was incumbent upon the Respondent to contest this with reasoned arguments, which it failed to do. Based hereon, the Panel is satisfied that the Respondent uses the disputed domain in bad faith.

This is reinforced by the Panel's finding under paragraph 4(b)(ii) of the Policy that the Complainant has demonstrated that the Respondent is engaged in a pattern of registering and using domain names (many of which correspond to well-known trademarks) in bad faith, as evidenced by the three WIPO decisions cited in footnote one as well as three additional UDRP decisions rendered by Forum (*Garmin Switzerland GmbH v. Domain Admin / High Tech Investments LTD*, Forum Claim No. FA1706001737052; *MGM Resorts International v. Domain Admin / High Tech Investments LTD*, Forum Claim No. FA1610001698742; and *Swift Transportation Co., LLC v. Domain Admin / High Tech Investments LTD*, Forum Claim No. FA1506001624050).. [WIPO Overview 3.0](#), section 3.1.2.

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 <americanairines.com> be transferred to the Complainant.

*/Alfred Meijboom/*

**Alfred Meijboom**

Sole Panelist

Date: August 20, 2025