

ADMINISTRATIVE PANEL DECISION

B&B Hotels v. Santa SAR

Case No. D2025-2202

1. The Parties

The Complainant is B&B Hotels, France, represented by FBL Avocats, France.

The Respondent is Santa SAR, United States of America.

2. The Domain Name and Registrar

The disputed domain name <hotelbbc.top> is registered with Dominet (HK) Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 5, 2025. On June 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 6, 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 June 6, 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 10, 2025.

The Center verified that the Complaint [together with the amendment to the Complaint/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 June 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 7, 2025.

The Center appointed Deanna Wong Wai Man as the sole panelist in this matter on July 14, 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 company headquartered in France and operates a portfolio of budget or value-oriented hotels. Incorporated in 1990, it states that it has used the mark B&B HOTELS for its operations since that time. The Complainant states that its brand is used by approximately 860 hotels worldwide. This includes around mostly hotels in France, in Germany, and in Italy, with additional hotels located in other European countries, Brazil, and the United States of America.

The Complainant owns a portfolio of trademark registrations, including, but not limited to the following trademarks: European Union Trademark No 004767323, for B&B HOTELS (figurative), which was registered on December 12, 2006, in respect of hotels, restaurants, cafeterias, bars, reservation of hotels, and temporary accommodation services in International Class 43; French Registered Trademark No. 3182313, for BB-HOTEL, which was registered on February 14, 2003, with effect from August 29, 2002, in respect of relevant hotel and accommodation services in International Class 43; and French Registered Trademark No. 3182312, for HOTELBB, which was registered on February 14, 2003, with effect from August 29, 2002, in respect of relevant hotel and accommodation services in International Class 43.

The disputed domain name was registered on April 3, 2025, and the Complainant submits evidence that it referred to an inactive website. However, the Panel notes that on the date of this Decision, the disputed domain name refers to a login page without any branding or specific content, but notes that the tab of the website contains the words “My Booking” and also contains the RHG HOTEL GROUP logo which is ostensibly owned by third party Radisson Hotel Group.

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 word marks BBHOTEL, BB-HOTEL, and HOTELBB, and its domain names <hotelbb.com>, <hotelbb.fr>, <hotelbb.net>, <hotelbb.eu> etc.

The Complainant also asserts that the Respondent has no rights or legitimate interests in the disputed domain name. It argues that the disputed domain name is currently inactive, and that the Respondent has never been known by the name “HOTEL BBC” nor used it in connection with any bona fide offering of goods or services. According to the Complainant, online searches for the disputed domain name yield no relevant results relating to the Respondent, but instead lead to the Complainant’s own websites and activities. The Complainant further states that it has not licensed, authorized, or otherwise permitted the Respondent to use its trademarks, including B&B HOTELS, BB-HOTEL, BBHOTEL, or HOTELBB, or to register the disputed domain name. In the absence of any evidence of legitimate use or preparations to use the domain name, the Complainant contends that the Respondent is merely seeking to attract Internet users by creating a misleading association with the Complainant.

As to bad faith, the Complainant essentially argues that the Respondent registered and is using the disputed domain name in bad faith, asserting that the Respondent was aware of the Complainant’s trademarks at the time of registration of the disputed domain name. The Complainant notes that its trademarks date back to 2005, with commercial use beginning in the early 1990s, while the disputed domain name was registered much later, on April 3, 2025. It contends that B&B HOTELS is a well-known and widely used mark in France and Europe, and that the Respondent’s registration of a domain name incorporating a similar term, without any apparent connection to the Complainant, constitutes bad faith. The Complainant further asserts that the Respondent lacks any legitimate interest in the domain name, which is currently inactive, and that this non-use reflects an intent to take unfair advantage of the Complainant’s reputation. According to the

Complainant, the domain name was registered solely to attract Internet users by creating confusion with the Complainant's mark, thereby misleading users for commercial gain or fraudulent purposes. It maintains that there is no conceivable legitimate use the Respondent could make of the domain name, and no plausible scenario in which the Respondent would have been unaware of the Complainant's rights at the time of registration.

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 Panel finds that 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 HOTELBB mark 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.

Further, the Panel notes that the Respondent is not commonly known by the name "HOTEL BBC" and has not been licensed, authorized, or otherwise permitted by the Complainant to use the Complainant's trademarks, including HOTELBB. In view of the current use of the website to which the disputed domain name resolves—apparently functioning as a purported booking retrieval platform displaying the logo of a well-known third-party hotel brand and thereby seemingly seeking to impersonate that brand—the Panel

finds that the Respondent is neither making a legitimate noncommercial or fair use of the disputed domain name nor using it in connection with a bona fide offering of goods or services, see [WIPO Overview 3.0](#), section 2.13.1.

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 Respondent has registered the disputed domain name which fully incorporates the Complainant's HOTELBB trademark. While the Panel notes that the Complainant has not provided persuasive or tailored arguments or evidence specifically addressing why this disputed domain name was registered in bad faith, the Panel has nonetheless, in accordance with sections 4.2 and 4.8 of the [WIPO Overview 3.0](#), assessed the available record and drawn inferences from the evidence available to the Panel. On the basis of the factual circumstances discerned by the Panel—namely, the current use of the disputed domain name in a manner apparently designed to impersonate a well-known third-party hotel brand and/or the Complainant and to apparently mislead Internet users, and the Respondent's use of false and incomplete contact information—the Panel considers, on the balance of probabilities, that the disputed domain name was registered as part of a scheme to defraud or otherwise target and exploit the goodwill of such hotel brands, including the Complainant's, through the inclusion of the HOTELBB mark in the disputed domain name. Accordingly, notwithstanding the Complainant's less than conclusive or tailored presentation of facts and evidence, the Panel finds that the disputed domain name was registered 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 held that the use of a domain name for illegitimate activity here, claimed impersonation/passing off constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <hotelbbc.top> be transferred to the Complainant.

/Deanna Wong Wai Man/

Deanna Wong Wai Man

Sole Panelist

Date: August 10, 2025