

ADMINISTRATIVE PANEL DECISION

Homeaway.com, Inc. v. John Deecon, TrafficDomains INC
Case No. D2025-2211

1. The Parties

The Complainant is Homeaway.com, Inc., United States of America ("United States"), represented by Akerman LLP, United States.

The Respondent is John Deecon, TrafficDomains INC, Malaysia.

2. The Domain Name and Registrar

The disputed domain name <vrbo.sale> is registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 5, 2025. On June 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 / WHOISPROTECTION.CC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 10, 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 the same day.

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 June 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 1, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 9, 2025.

The Center appointed Rodrigo Azevedo as the sole panelist in this matter on July 23, 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 within the Expedia Group, one of the world's largest travel companies.

The Complainant operates a global online marketplace for the vacation rental industry under the VRBO brand, offering online bookable listings of vacation rental homes and apartments in dozens of countries.

Founded in 1995, VRBO.com, LLC later became VRBO.com, Inc., and was acquired by the Complainant on December 31, 2010. Expedia Group announced in November 2015 that it would acquire the Complainant and its brands, including VRBO.

The Complainant's services are provided through its principal website at "www.vrbo.com", registered on July 30, 1996, as well as through mobile applications and social media platforms.

The Complainant owns numerous trademark registrations for the VRBO mark, including the United States Trademark Registration No. 2820989, registered on March 9, 2004. The VRBO mark has been recognized in prior UDRP decisions as distinctive and well-known.

The disputed domain name was registered on March 13, 2025.

At some point after registration, the disputed domain name resolved to a website flagged by Google Chrome and Microsoft Edge as a "Dangerous Site" due to potential phishing activity. The same message was displayed when the Panel attempted to access the disputed domain name on July 30, 2025.

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:

(i) The disputed domain name is identical or confusingly similar to the Complainant's trademark. The disputed domain name is identical to the Complainant's VRBO mark, fully incorporating it without alteration. The addition of the generic Top-Level Domain (gTLD) ".sale" does not avoid confusing similarity. Given the long-standing use and renown of the VRBO mark, Internet users are likely to believe that the disputed domain name is affiliated with, or endorsed by, the Complainant.

(ii) The Respondent has no rights or legitimate interests in the disputed domain name. The Complainant's rights in the VRBO mark predate the registration of the disputed domain name. The Complainant has not licensed or otherwise authorized the Respondent to use its mark. The Respondent is not commonly known by the disputed domain name and has used it for a phishing scheme, which is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use.

(iii) The disputed domain name was registered and is being used in bad faith. The Respondent registered the disputed domain name with knowledge of the Complainant's well-known VRBO mark, seeking to exploit its goodwill. The use of the disputed domain name for phishing demonstrates bad faith under paragraph 4(b)(iv) of the Policy. Such conduct creates a likelihood of confusion for commercial gain and constitutes evidence of registration and use in bad faith.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the disputed domain name, a complainant shall prove the following three elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (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.

Exhibit K to the Complaint shows registrations of VRBO trademark obtained by the Complainant in the United States as early as in 2004. Based on the available record, the Panel finds 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 trademark VRBO is wholly encompassed within the disputed domain name, together with the gTLD ".sale".

It is well established that the addition of a gTLD, such as ".sale", is typically disregarded when determining whether a domain name is confusingly similar to a complainant's trademark as such is viewed as a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.1. Accordingly, the disputed domain name is identical 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.

The Panel finds no indication that the Respondent is commonly known by the disputed domain name. Also, the Complainant has asserted that the Respondent has not been authorized, nor obtained any permission to use the Complainant's trademarks.

The evidence shows that the disputed domain name has been linked to a potential phishing site, as the website associated with the disputed domain name has been reported by Google Chrome and Microsoft Edge browsers as dangerous or unsafe for containing phishing threats. Panels have held that the use of a domain name for illegal activity here, claimed phishing can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Based on the available record, the Panel finds the second element of the Policy has been established.

C. Registered and Used 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.

The disputed domain name includes the trademark VRBO in its entirety. According to the [WIPO Overview 3.0](#), section 3.1.4, UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith.

The disputed domain name was registered after the Complainant's trademark. Also, when the disputed domain name was registered in 2025, the VRBO trademark was already directly connected with the Complainant's online vacation services, including in the United States. The disputed domain name is almost identical to the Complainant's domain name <vrbo.com>. The Respondent did not file any response explaining its reason for choosing the disputed domain name. Therefore, the Panel concludes that it is unlikely that the Respondent was not aware of the Complainant's trademark and that the registration of the disputed domain name was a mere coincidence.

Actually, the choice of gTLD extension to register the disputed domain name (".sale") and the alleged use of the disputed domain name for phishing activities make clear that the intent of the Respondent with the disputed domain name was to specifically target the Complainant's trademark. Panels have held that the use of a domain name for illegal activity here, claimed as applicable to this case: phishing, other types of fraud constitute bad faith. [WIPO Overview 3.0](#), section 3.4.

Therefore, having reviewed the record, the Panel finds the 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 <vrbo.sale> be transferred to the Complainant.

/Rodrigo Azevedo/

Rodrigo Azevedo

Sole Panelist

Date: August 7, 2025