

ADMINISTRATIVE PANEL DECISION

TPG Hotels & Resorts Inc. v. sakiido, sakiido, lcd
Case No. D2025-2214

1. The Parties

Complainant is TPG Hotels & Resorts Inc., United States of America (“United States”), represented by Pierson Ferdinand LLP, United States.

Respondent is sakiido, sakiido, lcd, United States.

2. The Domain Name and Registrar

The disputed domain name <exclusivetpghotels-online.com> 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 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 9, 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 (Registry Domain ID2932488166_DOMAIN_COM-VRSN) and contact information in the Complaint. The Center sent an email communication to Complainant on June 10, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on June 10, 2025.

The Center verified that the Complaint together with the amendment to the 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”). However, it found some missing elements and informed Complainant on June 12, 2025. The Complainant filed an amended Complaint on June 16, 2025.

The Center after verifying the fulfillment of the formal requirements and in accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on June 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 7, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on July 9, 2025.

The Center appointed Timothy D. Casey as the sole panelist in this matter on July 16, 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

Complainant is a hospitality management company that manages 150+ branded, independent, boutique and luxury hotels, including more than 25,000 guestrooms, in the United States. Complainant was founded in 1980 and has been using the TPG trademark for its services since 2006 and the TPG HOTELS & RESORTS trademark since 2016. Complainant is the owner of trademark registrations in the United States including "TPG" as an element of the mark (the "TPG Marks") as follows:

Mark	Jurisdiction	Class(es)	Registration No.	Registration Date
TPG	United States	35	4,073,126	December 20, 2011
TPG HOTELS & RESORTS (Design)	United States	35, 36, 37	5,309,127	October 17, 2017
TPG HOTELS & RESORTS A PROCACCIANTI COMPANY (Design)	United States	35, 36, 37	5,314,661	October 24, 2017

The disputed domain name was registered November 8, 2024. At the time of filing the Complaint, the disputed domain name resolved to a website displaying an image of a WESTIN hotel overlaid by one of the TPG Marks and requesting users to register and login in order to access more content. Complainant's website also displays an image of a WESTIN hotel overlaid by one of the TPG Marks. Complainant sent Respondent's web hosting provider cease and desist letters related to Respondent's alleged infringement on February 19, 2025 and March 23, 2025.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that it has rights in the TPG Marks, as evidenced herein and that the disputed domain name is confusingly similar to the TPG Marks because the disputed domain name includes the dominant portion of the TPG Marks (i.e., "tpghotels") and merely adds the terms "exclusive" and "online," which are generic terms that offer no meaningful distinction from the TPG Marks.

Complainant contends that Respondent has no right or legitimate interests in the disputed domain name and is unaware of why Respondent believes it has any right to use the TPG Marks and to display an image of Complainant's hotel. Complainant refers to its cease and desist letters to Respondent, to which it received no response, for further proof of Respondent's lack of rights or legitimate interests is the disputed domain name.

Complainant contends that Complainant does not know if Respondent is trying to traffic in the disputed domain name as Respondent has not contacted Complainant. Complainant alleges that Respondent has contacted Complainant's customers seeking commercial gain. Complainant further contends that usage of the disputed domain name is a registration and use in bad faith as it attempts to attract for commercial gain, Internet users to Respondent's website by creating a likelihood of confusion with Complainant's TPG Mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on Respondent's website or location.

B. Respondent

Respondent did not reply to 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 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.

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 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.

Although the addition of other terms, here, "exclusive" and "hotels-online," may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed impersonation/passing off, can never confer rights or legitimate interests on a respondent. [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 Respondent created and operates a website impersonating Complainant's website, including the use of the TPG Marks and at least one image of Complainant's hotel properties to offer a purported phishing login webpage.

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 Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that 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 <exclusivetpghotels-online.com> be transferred to Complainant.

/Timothy D. Casey/

Timothy D. Casey

Sole Panelist

Date: July 30, 2025