

ADMINISTRATIVE PANEL DECISION

Viacom International Inc. v. Name Redacted
Case No. D2025-3327

1. The Parties

The Complainant is Viacom International Inc., United States of America ("United States"), represented by Shalini Jayaweera, VP, United Kingdom.

The Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name <hotelnickelodeonkarisma.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 19, 2025. On August 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 19, 2025 and September 2, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent email communications to the Complainant on August 25 and September 3, 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 August 26, 2025. A second amended Complaint was filed on September 3, 2025.

¹ The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

The Center verified that the Complaint together with the amended Complaints 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 September 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2025. The Respondent did not submit any response. However, the Respondent sent an email communication in the Spanish language to the Center on August 25, 2025, stating to know nothing about the disputed domain name and that the registration of the disputed domain name has been made without his knowledge. The Center commenced the panel appointment process on September 30, 2025.

The Center appointed Edoardo Fano as the sole panelist in this matter on October 3, 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.

The Panel has not received any requests from the Complainants or the Respondent regarding further submissions, waivers or extensions of deadlines, and the Panel has not found it necessary to request any further information from the Parties.

Having reviewed the communication records in the case file provided by the Center, the Panel finds that the Center has discharged its responsibility under the Rules, paragraph 2(a), “to employ reasonably available means calculated to achieve actual notice to [the] Respondent”. Therefore, the Panel shall issue its Decision based upon the Complaint, the Policy, the Rules, and the Supplemental Rules and without the benefit of a response from the Respondent.

The language of the proceeding is English, being the language of the Registration Agreement, as per paragraph 11(a) of the Rules.

4. Factual Background

The Complainant is a United States company which is a wholly owned subsidiary of Paramount Skydance Corporation, a leading, next generation global media and entertainment company, owning several trademark registrations all over the world for NICKELODEON, in connection with a cable channel for children and adolescents aged 2 to 17, launched in the United States on April 1, 1979, and then grown to become a multimedia franchise:

- United States Trademark Registration No. 1217864 for NICKELODEON, registered on November 23, 1982;
- European Union Trademark Registration No. 000180976 for NICKELODEON, registered on October 13, 2004;
- Mexican Trademark Registration No. 426456 for NICKELODEON, registered on November 26, 1992.

In March 2015 the Complainant launched the “Nickelodeon Experience” at the Azul Hotels by Karisma in the Riviera Maya, Mexico.

The Complainant also operates on the Internet, its official website related to the “Nickelodeon Experience” being “www.nickresorts.com”. The Complainant’s “Nickelodeon Experience” is also being advertised on “www.karismahotels.com”.

The Complainant provided evidence in support of the above.

According to the Whois records, the disputed domain name was registered on January 15, 2023, and it is inactive. However, when the Complaint was filed, it was reported to the Complainant that the disputed domain name was being used to impersonate Nickelodeon Hotels & Resorts and scam consumers into booking accommodation via the website, automatically redirecting to the webpage of the Complainant's partner, Karisma, at <karismahotels.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 states that the disputed domain name is confusingly similar to its trademark, as the disputed domain name wholly incorporates the Complainant's trademark.

Moreover, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name since it has not been authorized by the Complainant to register the disputed domain name or to use its trademark within the disputed domain name, it is not commonly known by the disputed domain name and it is not making either a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name. The Respondent uses the disputed domain name to impersonate the Complainant and mislead consumers making fraudulent hotel reservations.

The Complainant submits that the Respondent has registered the disputed domain name in bad faith, since the Complainant's trademark NICKELODEON is distinctive and well known in the field of global media and entertainment. Therefore, the Respondent targeted the Complainant's trademark at the time of registration of the disputed domain name and the Complainant contends that the Respondent's use of the disputed domain name to impersonate the Complainant and mislead consumers making fraudulent hotel reservations, attempting to benefit from the goodwill of the Complainant's trademark, qualifies as bad faith registration and use.

B. Respondent

Except for the email communication on August 25, 2025, the Respondent has made no formal reply to the Complainant's contentions. In reference to paragraphs 5(f) and 14 of the Rules, no exceptional circumstances explaining the default have been put forward or are apparent from the record.

A respondent is not obliged to participate in a proceeding under the Policy, but if it fails to do so, reasonable facts asserted by a complainant may be taken as true, and appropriate inferences, in accordance with paragraph 14(b) of the Rules, may be drawn. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3.

However, on August 25, 2025, the Respondent sent an email communication in the Spanish language to the Center, stating that he did not register the disputed domain name, although it does appear with his data, and that it could possibly be a case of identity theft:

"Buenas días, este dominio yo no lo registre, sin embargo si son mis datos, me temo que sea un posible "identity theft" cómo puedo solucionarlo? no me interesa en absoluto el dominio."

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy in order to succeed:

- (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.

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 entirety of the 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.

Although the addition of other terms, here "hotel" and "karisma", 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.

It is also well accepted that a generic Top-Level Domain ("gTLD"), in this case ".com", is typically ignored when assessing the similarity between a trademark and a domain name. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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.

While 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 often impossible 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. 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 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 disputed domain name was used by the Respondent to impersonate the Complainant and mislead consumers making fraudulent hotel reservations. Panels have held that the use of a domain name for illegal activity, here fraud and impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel therefore concludes that the disputed domain name is not being used in connection with a bona fide offering of goods or services.

Moreover, the Panel finds that the composition of the disputed domain name carries a risk of implied affiliation as it effectively impersonates or suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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

C. Registered and Used in Bad Faith

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, regarding the registration in bad faith of the disputed domain name, the reputation of the Complainant's trademark NICKELODEON in the field of global media and entertainment, is clearly established. The Panel finds that the Respondent knew of the Complainant and deliberately registered the confusingly similar disputed domain name in bad faith, especially because the disputed domain name consists of the Complainant's trademark with the addition of the terms "hotel" and "karisma", that is referring to the Complainant's Nickelodeon Hotels & Resorts activity with its partner Karisma.

The Panel further notes that the disputed domain name was also used in bad faith, since the Respondent was trying to impersonate the Complainant, likely in connection with a phishing scheme, with the purpose of intentionally attempting to create a likelihood of confusion with the Complainant's trademark as to the disputed domain name's source, sponsorship, affiliation, or endorsement. Panels have held that the use of a domain name for illegal activity, here fraud and impersonation/passing off, constitutes bad faith. [WIPO Overview 3.0](#), sections 3.1.4 and 3.4.

As regards the current use of the disputed domain name, being inactive, panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the record, the Panel notes the reputation of the Complainant's trademark in the field of global media and entertainment, the nature of the disputed domain name (which consists of the Complainant's trademark, with the addition of the terms "hotel" and "karisma", that is referring to the Complainant's Nickelodeon Hotels & Resorts activity with its partner Karisma), the prior use of the disputed domain name and the failure of the Respondent to submit a formal Response or provide any explanation for its motivations in registering the disputed domain name, and finds that in the circumstances of this case, the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Furthermore, the Panel considers that the nature of the inherently misleading disputed domain name, which consists of the Complainant's trademark, with the addition of the terms "hotel" and "karisma", that is referring to the Complainant's Nickelodeon Hotels & Resorts activity with its partner Karisma, further supports a finding of bad faith. [WIPO Overview 3.0](#), section 3.2.1.

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

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, <hotelnickelodeonkarisma.com>, be transferred to the Complainant.

/Edoardo Fano/

Edoardo Fano

Sole Panelist

Date: October 10, 2025