

ADMINISTRATIVE PANEL DECISION

B&B Hotels v. Jing Wang
Case No. D2025-3465

1. The Parties

Complainant is B&B Hotels, France, represented by Fiducial Legal By Lamy, France.

Respondent is Jing Wang, China.

2. The Domain Name and Registrar

The disputed domain name <bbyhotels.com> (the “Domain Name”) is registered with NameMart Pte. Ltd¹. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on August 27, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On September 16, and September 17, 2025, the Registrar transmitted by email to the Center its verification responses disclosing registrant and contact information for the Domain Name which differed from the named Respondent (ORGANIZATION REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to Complainant on September 19, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint in English on September 23, 2025.

On September 19, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the Domain Name is Chinese. On September 23, 2025, Complainant requested English to be the language of the proceedings. Respondent did not submit any comment on Complainant’s submission.

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”).

¹The Registrar of the Domain Name has changed from WDomain 2 Ltd to NameMart Pte. Ltd. The Decision applies to both Registrars.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent in Chinese and English of the Complaint, and the proceedings commenced on September 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 14, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on October 15, 2025.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on November 13, 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 French company incorporated in 1990 and offers hospitality services, including hotels, restaurants, temporary accommodations and related booking services, including through the Internet, to a wide range of customers. With more than 860 hotels worldwide, Complainant has hotels in France, Germany, Italy, Spain, Portugal, Belgium, Switzerland, Poland, Austria, Slovenia, Czech Republic and Brazil and 432 hotels are operating in France.

Complainant had a turnover of more than EUR 220 million in 2021. Over the 30 years since B&B HOTELS has been used, the Complainant has invested substantially in the development of its services, marketing and advertising of its brand. In order to proactively protect and market B&B HOTELS trademark on the Internet, the Complainant registered many domain names, as early as 1998, consisting in the elements "bb" and "hotel" combined (with or without hyphens), either under the format "BB HOTEL(S)" or "HOTEL(S)-BB".

Complainant owns several registered trademarks comprising the elements "bb" and "hotel" in various order, for example:

- French registered trademark number 3182311 for the BBHOTEL word mark, registered since August 29, 2002;
- French trademark registration number 3182312 for the HOTELBB word mark, registered since August 29, 2002;
- French registered trademark number 3182313 for the BB-HOTEL word mark, registered since August 29, 2002; and
- European Union registered trademark number 004767323 for the B & B HOTELS design mark, registered on December 12, 2006.

These marks will hereinafter be referred to collectively as the "BBHOTELS" trademarks.

Complainant also owns and operates several domain names, including <bbhotels.com>, registered on October 18, 2022; <bbhotels.eu> registered on June 7, 2022; <bb-hotels.com> registered on September 20, 2022; and <bbhotels.fr> registered on June 30, 2010.

The Domain Name was registered on May 11, 2025 and resolves to an inactive page.

On July 28, 2025, Complainant sent a cease-and-desist letter to the Registrar WDomain 2 Ltd by email and by registered letter. The Registrar responded acknowledging Complainant's request but no response has been received to date.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, Complainant contends that (i) the Domain Name is confusingly similar to Complainant's trademarks; (ii) Respondent has no rights or legitimate interests in the Domain Name; and (iii) Respondent registered and is using the Domain Name in bad faith.

In particular, Complainant contends that it has trademark registrations and rights for BBHOTELS and that Respondent registered and is using the Domain Name with the intention to confuse Internet users looking for bona fide and well-known BBHOTELS products and services.

Complainant notes that it has no affiliation with Respondent, nor authorized Respondent to register or use a domain name, which includes Complainant's trademarks, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Name. Rather, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

6.1. Preliminary Issue: Language of the Proceedings

The Rules, in paragraph 11(a), provide that unless otherwise agreed by the parties or specified otherwise in the registration agreement between the respondent and the registrar in relation to the disputed domain name, the language of the proceedings shall be the language of the registration agreement, subject to the authority of the panel to determine otherwise, having regard to the circumstances of the administrative proceedings.

Complainant submitted its original Complaint and amended Complaint in English. According to the information received from the Registrar, the language of the Registration Agreement for the Domain Name is Chinese.

Complainant requested that the language of the proceedings be English for several reasons, including the fact that Complainant is a French company; that all pre-Complaint communications were in English; that while the Domain Name Service Agreement on the Registrar's website was written in Chinese, it was also available in English; that Respondent was involved with another UDRP proceeding, which was conducted in English.

Respondent did not comment on Complainant's request for the language of the proceedings be English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

The Panel accepts Complainant's submissions regarding the language of the proceedings. The Panel notes that the Domain Name does not have any specific meaning in the Chinese language, and that the Domain Name is formed using Latin characters, contains Complainant's BBHOTELS trademark in its entirety. The Panel further notes that the Center notified the Parties in Chinese and English of the language of the proceedings as well as notified Respondent in Chinese and English of the Complaint. Respondent chose not to comment on the language of the proceedings, nor did Respondent choose to file a Response in Chinese or English.

Having considered all the circumstances of this case, including efficiency in time and costs, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

6.2. Substantive Issues

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name was registered and is being used in bad faith.

Section 4.3 of the [WIPO Overview 3.0](#) states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Complainant has provided evidence of its rights in the BBHOTELS trademarks, as noted above. Complainant has therefore proven that it has the requisite rights in the BBHOTELS trademarks.

With Complainant's rights in the BBHOTELS trademarks established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain ("TLD") in which it was registered (in this case, is ".com") is identical or confusingly similar to Complainant's trademarks. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is confusingly similar to Complainant's BBHOTELS trademarks. These BBHOTELS trademarks are recognizable in the Domain Name.

Complainant's trademarks	Difference between Complainant's trademarks and Domain Name
BBHOTEL	Addition of "yy" between "BB" and "HOTEL" and absence of "s"
BB-HOTEL	Addition of "yy" and deletion of hyphen "-" between "BB" and "HOTEL" and absence of "s"
HOTELBB	Reversal of position of "BB" and "HOTEL" and addition of "yy" between "BB" and "HOTEL" and absence of "s"
B & B HOTELS	Absence of "&" between "B" and "B" and addition of "yy"

The addition of the letters “yy” inserted between “bb” and “hotels” does not prevent a finding of confusing similarity between the Domain Name and the BBHOTELS trademarks. See section 1.8 of the [WIPO Overview 3.0](#).

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its BBHOTELS trademarks and does not have any rights or legitimate interests in the Domain Name. Complainant has confirmed that Respondent is not affiliated with Complainant or otherwise authorized or licensed to use the BBHOTELS trademarks or to seek registration of any domain name incorporating these trademarks. Respondent is also not known to be associated with the BBHOTELS trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Name. The Domain Name is inactive.

Accordingly, Complainant has provided evidence supporting its prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name. Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent’s actions indicate that Respondent registered and is using the Domain Names in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a respondent, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided ample evidence to show that registration and use of the BBHOTELS trademarks long predate the registration of the Domain Name. Complainant is also well established and known. Indeed, the record shows that Complainant's BBHOTELS trademarks and related products and services are widely known and recognized. Therefore, Respondent was more likely than not aware of the BBHOTELS trademarks when it registered the Domain Name. See section 3.2.2 of the [WIPO Overview 3.0](#); see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

The Panel therefore finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Moreover, the Domain Name's inclusion of Complainant's trademark B & B HOTELS in its entirety with an addition of the terms "yy" between "BB" and "HOTELS" and an absence of "&" between "B" and "B" (as noted in the chart in the above section), further reflects the awareness that Respondent had of Complainant and its trademarks at the time of registration. Such adoption of Complainant's trademarks at the time of registration of the Domain Name illustrates Respondent's effort to mislead Internet users as to the Domain Name's association with Complainant.

At the time of filing of the Complaint, the Domain Name resolved to an inactive webpage, which does not change the Panel's finding of Respondent's bad faith. 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 available record, the Panel notes the distinctiveness or reputation of Complainant's trademark, and the composition of the Domain Name, and finds that in the circumstances of this case the passive holding of the Domain Name does not prevent a finding of bad faith under the Policy.

In the present circumstances, considering the reputation of the BBHOTELS trademarks, the failure of Respondent to submit a response, the Panel finds that Respondent registered and is using the Domain Name in bad faith.

Therefore, the Panel finds that Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <bbyyhotels.com> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: November 27, 2025