

ADMINISTRATIVE PANEL DECISION

B&B Hotels v. Domain Administrator

Case No. D2025-3466

1. The Parties

- 1.1 The Complainant is B&B Hotels, France, represented by Fiducial Legal by Lamy, France.
- 1.2 The Respondent is Domain Administrator, United States of America ("United States").

2. The Domain Name and Registrar

- 2.1 The disputed domain name <bba-hotel-management.today> (the "Domain Name") is registered with Above.com Pty Ltd. (the "Registrar").

3. Procedural History

- 3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 27, 2025. At that time, publicly available Whois details disclosed the Registrant Name in respect of the Domain Name to be "Domain Administrator" and did not identify any "Registration Organization". However, the contact email address provided in respect of the Domain Name used the domain name <avenueimedia.com>.
- 3.2 On September 2, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On September 4, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.
- 3.3 The Center verified that 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").
- 3.4 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 26, 2025.

3.5 The Center appointed Matthew S. Harris 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.

3.6 On reviewing the case file the Panel noted that there appeared to be more than one way of reading the Domain Name, and that there was material readily available online that appeared to provide more details as to the likely identity of the Respondent and its motives in registering and holding the Domain Name. The Panel being of the view that as a matter of procedural fairness the Parties should be given an opportunity to consider and address these issues, issued a procedural order on October 9, 2025 ("Procedural Order No.1") inviting the Parties to file a further submission in this respect on or before October 16, 2025. The Complainant did so. The Respondent did not.

4. Factual Background

4.1 The Complainant was incorporated in France on May 28, 1990. Since that date, it has offered hotel, restaurant, temporary accommodation and related booking services, under the "B&B Hotels" name, and from a website operating from the domain name <hotel-bb.com>. It currently offers booking services in respect of 860 hotels. These hotels are predominantly located in France and Europe, but there are some in Brazil and the United States. So far as the United States is concerned, it offers these services in respect of three hotels in Florida, one of which (i.e., B&B Hotel Miami Airport) also uses the term "B&B Hotel" as part of its name.

4.2 The Complainant is the owner of various trade marks that comprise and incorporate the term "B&B Hotels" or variants of the same. They include:

- (i) French registered trade mark No. 3182313 filed on August 29, 2002 for "bb-hotel" as a word mark in class 43;
- (ii) European Union registered trade mark No. 004767323 filed on November 29, 2005 and with a registration date of December 12, 2006 in class 43 and which takes the following form:



- (iii) United States registered trade mark No. 7390202 with an application date of January 10, 2022 and a registration date of May 21, 2024 in classes 35, 41, and 43 and which takes the following form:



4.3 The Complainant has been successful in a large number of proceedings under the Policy. The earliest of these relied upon by the Complainant is *B&B Hotels, Société par actions simplifiée v. Anonymous Corp, Ken*, WIPO Case No. [D2011-1864](#), and the most recent is *B&B Hotels v. Santa SAR*, WIPO Case No. [D2025-2202](#). It is also the owner of numerous domain names incorporating the letters "bb" and the word "hotel" in various forms, and which are used to redirect Internet users to the Complainant's main website operating from the <hotel-bb.com> domain name.

4.4 The Domain Name was registered on May 13, 2025. It has not been used for an active website since registration.

4.5 No registrant organisation is directly disclosed in the Whois details for the Domain Name, but a United States address in California is provided and a contact email address that uses the <avenueimedia.com> domain name. The California company register also records the existence of a company registered in California (with file No. 201125610156) under the name Avenue I Media LLC whose registered office is the same as the geographical address disclosed for the Domain Name by the Registrar.

4.6 In a LinkedIn profile purporting to be operated by Avenue I Media LLC, it describes itself as follows:

“AIM is a technology driven, data monetization firm. Our proprietary technology utilizes machine learning algorithms, such as deep recurrent neural networks, to drive maximum ROI for our partners and ourselves. By providing commercial digital assistance to targeted intent-driven users, our dynamic yield platform is able to achieve profitable results from day one. Once data is captured, our intelligent systems connect real-time new user signals with historical intent and patterns to effectively increase the lifetime value of that data while generating higher returns at greater scale.”

5. Parties' Contentions

A. Complainant

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

5.2 Notably, the Complainant contends that in assessing whether the Domain Name is confusingly similar to its trade marks, it is necessary to take into account that the ampersand symbol “&” cannot be represented in a domain name. It claims that, according to its searches, the Respondent is not known for using, being the owner or exploiting, the sign “bba-hotel-management.today”. It also alleges that “Respondent’s sole intention is an intentional attempt to attract for commercial gain” Internet users “by creating a likelihood of confusion with the Complainant’s mark”, and that “[t]he Respondent must have had in mind the Complainant’s trade[]marks rights when having registered the [Domain Name]”.

5.3 The Complainant initially claimed that it “is not possible to conceive a plausible circumstance in which the Respondent could legitimately use the [Domain Name]”. In its supplemental submission filed in response to the Procedural Order No. 1, the Complainant moderated its position somewhat. In particular, it accepted that one way of reading the Domain Name was as referring to a bachelor’s degree in business administration (i.e., a “BBA”) in the field of hotel management. However, it contended that there was nothing that indicated that the Domain Name had been chosen with that use in mind.

B. Respondent

5.4 The Respondent did not reply to the Complainant’s contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

6.1 It is generally 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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 1.7.

6.2 The Complainant has shown that it has rights in registered trade marks for “bb-hotel” and various figurative marks where a significant if not predominant part of those marks is the text “B&B HOTELS”. [WIPO Overview 3.0](#), section 1.2.1.

6.3 The only sensible reading of the Domain Name is as the letters “BBA”, combined with the words “hotel management” and the “.today” generic Top-Level Domain (“gTLD”). In the circumstances, the Panel accepts that the Complainant’s “bb-hotel” mark is recognisable in the Domain Name, albeit modified with the addition of the letter “a” after the “bb” element. The Panel also accepts that the Complainant’s B&B HOTEL marks are recognisable in the Domain Name, particularly bearing in mind that spaces and ampersands cannot form part of a domain name and the “-” symbol is frequently used as an alternative to a space. It follows that the Domain Name is confusingly similar to the Complainant’s marks for the purposes of the Policy.

[WIPO Overview 3.0](#), section 1.7.

6.4 The Panel, therefore, finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

6.5 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.

6.6 While the overall burden of proof in UDRP proceedings is on the complainant, many panels have taken the position 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, the approach of many panels under the Policy where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, is to state that 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 then deemed to have satisfied the second element.

[WIPO Overview 3.0](#), section 2.1.

6.7 That said, frequently it is possible for a panel to come to a conclusion on the balance of probabilities as to whether a respondent has a relevant right or legitimate interest, particularly bearing in mind the conclusions reached by that panel as to a respondent’s motives when considering whether a domain name has been registered in bad faith.

6.8 In this particular case, there are two likely explanations as to why the Domain Name has been registered and held. One is that it was registered because it was descriptive of, or related to, a business administration degree. The other is that it was registered and held because of its associations with the Complainant. For the reasons set out below in the context of the issue of bad faith registration and use, the Panel has concluded that an intended association with the Complainant is more likely. Further, the Respondent has never used the Domain Name and the Panel is of the view that this constitutes positive evidence that no legitimate interest in any descriptive claim therefore exists.

6.9 Accordingly, the Panel concludes that the Respondent has no right of legitimate interest in the Domain Name and finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

6.10 Central to the issue of whether a domain name has been registered and used in bad faith is a respondent’s knowledge and intentions. The Complainant contends that the Domain Name was registered and has been held with knowledge of the Complainant’s rights and with the intention to profit from the Domain Name’s association with the same. This is said to be so notwithstanding that the Domain Name can be read as descriptive of, or related to, a business administration degree.

6.11 The Panel has reached the firm conclusion based upon the geographical address and email address provided in respect of the Domain Name that the Respondent in this case is Avenue I Media LLC, a Californian corporation.

6.12 With this in mind an obvious question is whether it is likely that a Californian corporation was aware of the Complainant and sought to take advantage of its marks, when the admitted focus of the Complainant's business is hotels in France and Europe. The Complainant in its response to the request in the Procedural Order No. 1 that it clarify the extent of its activities in the United States, did so. But it then stated as follows:

"In any case, this information is not relevant in an UDRP case since the prior rights to be invoked is prior trademarks and not activity, which the Complainant extensively demonstrates to have. The domain name to be compared to has a generic extension being .today, so the geographical criteria is not to be taken into account."

6.13 It is a response that makes it clear that the Complainant did not understand why this confirmation was being sought. It appears to have confused the issue of what rights must be shown for the purposes of the first element (which might exist anywhere in the world), with the question of the extent and nature of the Respondent's knowledge and intent for the purposes of assessing the second and third elements. The Internet operates internationally, and it is perfectly possible (and indeed common) for entities based in one jurisdiction to seek to take unfair advantage of the rights of a business based or operating in another. However, the greater the extent of the Complainant's reputation and activities in the United States (whether that be by reason of its association with hotels in the United States, or the offering of its services to persons located in the United States), the more likely it is that the Respondent was aware of the Complainant and its marks when registering the Domain Name.

6.14 However, ultimately in this case the Panel has concluded that it is more likely than not that the Respondent was not only aware of the Complainant and its marks, but that it has registered and held the Domain Name with the intention to take commercial advantage of a confusing similarity between the Domain Name and that name and those marks.

6.15 First, there is the fact that the Complainant clearly operates a substantial business, with activities that although primarily undertaken in Europe, extend to other countries including, but not limited to, the United States.

6.16 Second, there is the fact that there is no evidence of the Domain Name ever being used in connection with any descriptive reading.

6.17 Third, there is the text displayed on what the Panel is satisfied is more than likely to be the Respondent's LinkedIn page. The Complainant appears to suggest (although the way it expresses matters is not entirely clear) that this might not be a page controlled by the Respondent because it gives an address in Redondo Beach, California as opposed to the Torrance, California address used both for the Domain Name and Avenue I Media LLC's registered address. However, this is highly unlikely, when both addresses are in suburbs of Los Angeles and only approximately 3 miles apart.

6.18 The text on the LinkedIn page strongly suggests that the Respondent is a "data monetization" business and accordingly is most likely to be interested in maximising any financial return on the attractive power of the Domain Name. Absent any evidence or argument to the contrary, this is something the Panel considers is more likely to be achieved through the Domain Name's potential associations with the Complainant's business and marks, than any descriptive reading of the Domain Name. This is particularly so given that the potential descriptive meaning appears to be a narrow one; i.e., the study of business administration applied or related to the activity of hotel management.

6.19 Last but not least, there is the Respondent's failure to engage with these proceedings. If the Domain Name was registered and held because of a potential descriptive reading of the same, the Respondent has had no less than two opportunities to make this clear; i.e., in a Response and by way of a submission in response to the Procedural Order No.1. A complainant bears the burden of proof when it comes to each of the elements of the Policy, but it does not follow that a failure to address points raised in a complaint, is of no relevance. If there were a legitimate alternate reason for the registration of the Domain Name, one would have expected the Respondent to put it (particularly where the Panel has expressly invited submissions on

the issue), and its failure to do so is something that can be taken into account when assessing of whether the Complainant's contentions are correct (see section 4.3 of the [WIPO Overview 3.0](#)).

6.20 The registration and holding of a domain name with the intention to take commercial advantage of the confusing similarities between that domain name and a complainant's name and marks, is registration and use in bad faith. The Panel, therefore, finds that the third element of the Policy has been established.

7. Decision

7.1 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, <bba-hotel-management.today>, be transferred to the Complainant.

/Matthew S. Harris/

Matthew S. Harris

Sole Panelist

Date: October 19, 2025