

ADMINISTRATIVE PANEL DECISION

American Airlines, Inc. v. SHAIL THAKUR, CSC INDIA PVT LTD
Case No. D2025-4619

1. The Parties

The Complainant is American Airlines, Inc., United States of America (“United States”), represented by Greenberg Traurig, LLP, United States.

The Respondent is SHAIL THAKUR, CSC INDIA PVT LTD, India.

2. The Domain Name and Registrar

The disputed domain name <americanairline.agency> 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 November 6, 2025. On November 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 7, 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 an email communication to the Complainant on November 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 November 14, 2025.

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 November 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 8, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on December 11, 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 an air carrier that also offers travel and transportation services, travel agency services, and travel reservation services.

The Complainant owns and operates the domain name <aa.com> which redirects to a website at the domain name <americanairlines.com> which features general information about the Complainant and traveling, as well as allow customers to book travel reservations around the world, view, change and cancel travel reservations, check in for flights, and view flight status.

In addition to that, the Complainant is the owner of trademark registrations incorporating its AMERICAN AIRLINES trademark in over 75 jurisdictions (Annex 9 to the Complaint), amongst which the following registrations in India:

- Registration No. 605108 for the word mark AMERICAN AIRLINES, registered on August 25, 1993, successively renewed; and
- Registration No. 1245961 for the word mark AMERICAN AIRLINES registered on October 24, 2003, successively renewed.

Previous UDRP panels have found that the Complainant “indisputably has rights in the registered trademark AMERICAN, both by virtue of its numerous trademark registrations and as a result of its global goodwill and reputation” (*American Airlines, Inc. v. Ramadhir Singh, WhoisGuard Protected, WhoisGuard, Inc. / Reema Gupta, Ballu Balwant, Domain Admin, Privacy Protect, LLC (PrivacyProtect.org) / Lucy Lionel, Lucy99, Red Keep*, WIPO Case No. [D2021-0294](#)); as well as that the Complainant’s AMERICAN AIRLINES trademark is “very well-known” (*American Airlines, Inc. v. Registration Private, Domains By Proxy, LLC / Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2021-1093](#)).

The disputed domain name was registered on August 2, 2025, and resolves to a landing page simply stating “AMERICAN AIRLINE AGENCY Explore the world with ease” and featuring a chat bot that invites users to enter their name and email address. Active Mail Exchange (“MX”) servers are also associated with the disputed domain name.

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 asserts to be the largest air carrier in the world, serving over 350 destinations in over fifty countries, with nearly 7,000 daily flights; having, during its nearly 100-year history, developed global name-recognition and goodwill which became a household name.

According to the Complainant, the disputed domain name is confusingly similar to the Complainant’s AMERICAN and AMERICAN AIRLINES trademarks, as well as to its domain name <americanairlines.com>, given that the disputed domain name incorporates the Complainant’s AMERICAN AIRLINES mark in full, only removing the “s” from “airlines”, and then adding the generic Top-Level Domain (“gTLD”) “.agency.”

As to the lack of rights or legitimate interests, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, which was registered by the Respondent without the Complainant's authorization, license, permission or consent; also the Respondent not being commonly known by the disputed domain name, nor having used or prepared to use the disputed domain name in connection with a bona fide offering of goods or services, given that, at best, the Respondent's website is used to confuse website visitors, and at worst, it is used to harvest information, what can hardly be called fair or legitimate use.

Lastly, the Complainant contends that, given the disputed domain name has been used to divert Internet traffic to a website that purports to be the website for the Complainant, which at best confuses consumers, and at worst is used to steal information, this falls squarely within the explicit example of bad faith registration and use found in the Policy at paragraph 4(b)(iv), the obvious creation of a false association with the Complainant. Additionally, it appears that the Respondent has utilized false – or at least incomplete – contact information in the registration of the disputed domain name (notably, the address is missing a street and/or building number, and the provided contact details do not appear to be a precise address or location). Furthermore, the disputed domain name has active MX records which evidences a likelihood of additional bad-faith use of the disputed domain name to engage in fraudulent email or phishing communications

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements which the Complainant must meet in order for the Panel to order the transfer of the disputed domain name:

- (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.

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 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.

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.

It appears from the Complainant’s uncontested submissions that the Respondent has no business or any kind of relationship with the Complainant. Further, the Respondent is not commonly known by the disputed domain name. Considering the absence of a response by the Respondent to the Complainant’s contentions putting forward any legitimate non-infringing purpose, the use to which the disputed domain name has been put and the Complainant’s online presence, the Panel finds, on the balance of probabilities, that the Complainant has established that the Respondent has no rights or legitimate interests in the disputed domain name. Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain name.

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.

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.

This case presents the following circumstances which indicate under the balance of probabilities bad faith registration and use of the disputed domain name:

- a) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the disputed domain name and has not responded to the Complaint;
- b) the reputation of the Complainant’s trademark;
- c) the Respondent has used the disputed domain name to take unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin and affiliation of the website;
- d) the configuring of active MX email servers associated with the disputed domain name;
- e) the Respondent’s choice to retain a privacy protection service; and
- f) the Respondent’s indication of incomplete and/or false address, evidenced by the inability of the courier to deliver the Center’s written communication to it.

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 <americanairline.agency> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: December 19, 2025