

## ADMINISTRATIVE PANEL DECISION

Trivago N.V. v. Titilayo Ademola

Case No. D2025-4964

### 1. The Parties

Complainant is Trivago N.V., Germany, represented internally.

Respondent is Titilayo Ademola, Nigeria.

### 2. The Domain Name and Registrar

The disputed domain name <trivagoearn.com> is registered with NameCheap, Inc. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 28, 2025. On November 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 28, 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 (not disclosed / Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on December 1, 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 on December 8, 2025, and an amendment to the Complaint on December 22, 2025.

The Center verified that the Complaint together with the amendment to the Complaint and 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 Respondent of the Complaint, and the proceedings commenced on December 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 12, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on January 13, 2026.

The Center appointed Gabriel F. Leonardos as the sole panelist in this matter on January 15, 2026. 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 well-known hotel comparison and travel service operating under the TRIVAGO trademark since 2006. Its operation began in Germany and later expanded into a global platform that currently operates in 190 countries.

As shown in the examples below, Complainant owns several trademark registrations for TRIVAGO.

Registration Number	Trademark	Jurisdiction	International Class	Registration Date
4069216	TRIVAGO	United States of America	35 and 42	December 13, 2011
012129565	TRIVAGO	European Union	35, 39, 42 and 43	February 7, 2014
016686065	TRIVAGO	European Union	9	September 25, 2017

The disputed domain name <trivagoearn.com> was created on April 3, 2025, and resolves to a webpage that displays Complainant's trademark and stylized logo under the header "Home | Trivago Earn - Hotel rating worldwide" and offers to earn commissions for hotel rating.

#### **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 the disputed domain name incorporates the entirety of the TRIVAGO trademark as its dominant and leading element. According to Complainant, the mere addition of the descriptive term "earn" does not prevent a finding of confusing similarity, as the trademark TRIVAGO remains clearly recognizable within the disputed domain name.

Therefore, according to Complainant, the disputed domain name is confusingly similar to Complainant's trademark, fulfilling paragraph 4(a)(i) of the Policy.

Complainant affirms that it has not licensed or authorized the use of the TRIVAGO mark and that Respondent has no affiliation with Complainant. Furthermore, Complainant contends that there is no evidence that Respondent is commonly known by the disputed domain name.

According to Complainant, the use of the disputed domain name cannot be considered a bona fide offering of goods or services, as it impersonates Complainant and misleads Internet users into believing it is an official website, exploiting Complainant's reputation for commercial gain.

In this manner, Complainant states that Respondent lacks rights or legitimate interests, fulfilling paragraph 4(a)(ii) of the Policy.

Finally, Complainant asserts that the disputed domain name was registered and is being used in bad faith. According to Complainant, considering the popularity of the TRIVAGO mark, Respondent could not be unaware of Complainant's rights at the time of registration, which was done only to impersonate, exploit Complainant's reputation and attract Internet users for commercial gain.

Thus, according to Complainant, the requirements for the finding of bad faith registration and use of the disputed domain name have been fulfilled, pursuant to paragraphs 4(a)(iii) and 4(b) of the Policy. Accordingly, Complainant requests that the disputed domain name <trivagoearn.com> be transferred to Complainant

## **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

To succeed in a UDRP complaint, Complainant must demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, as follows:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) 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.

The burden of proving these elements is upon Complainant.

Respondent had 20 days to submit a response in accordance with paragraph 5(a) of the Rules and failed to do so. Paragraph 5(f) of the Rules establishes that if a respondent does not respond to the Complaint, in the absence of exceptional circumstances, the Panel's decision shall be based upon the Complaint.

### **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.

Based on the available record, the Panel finds 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 trademark TRIVAGO 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 the term "earn" may bear on the assessment of the second and third elements, the Panel finds that such addition 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.

Therefore, 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on 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 Complainant makes out a *prima facie* case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, 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 as passing off, can never confer rights or legitimate interests on a Respondent. [WIPO Overview 3.0](#), section 2.13.1.

Based on the available record, Respondent is not entitled to any trademark, trade name, or any other right associated with the disputed domain name. Additionally, Respondent has not been authorized by Complainant to use the TRIVAGO trademark, and there is no commercial relationship between the Parties.

Respondent is not commonly known by the disputed domain name, and the Panel notes that the use of the disputed domain name does not amount to a *bona fide* offering. In light of these circumstances, the Panel finds that no rights or legitimate interests can be found on behalf of Respondent.

Accordingly, 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 has registered a domain name that is confusingly similar to Complainant's TRIVAGO trademark. Also, based on the available record, it was established that Respondent has no affiliation with Complainant and its trademarks, nor has it obtained authorization or license to utilize the referred trademarks. Also, Respondent does not own any trademarks containing the term "trivago" nor showed any rights over any related terms.

Respondent evidently knew or should have known of the existence of Complainant's prior trademark rights, which was a matter of public record, before registering the disputed domain names.

Considering Complainant's reputation and the composition of the disputed domain name and the manner in which it has been used, it may be inferred that the registration of the disputed domain name was done with an intention to pass off as Complainant and unduly benefit of its notoriety.

The Panel notes that the disputed domain name resolves to a website that displays Complainant's trademark and stylized logo, without indicating the website operator, and claiming false partnerships and promising earnings for the review of hotels (the same industry in which Complainant operates).

Therefore, the Panel finds that Respondent intended to financially profit by passing off as Complainant and misleading Internet users into believing that the website is operated or endorsed by Complainant.

Based on the available record, 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 domain name <trivagoearn.com> be transferred to Complainant.

*/Gabriel F. Leonardos/*

**Gabriel F. Leonardos**

Sole Panelist

Date: January 29, 2026