

## **ADMINISTRATIVE PANEL DECISION**

Headout Inc. v. Gente Briks

Case No. D2025-5014

### **1. The Parties**

The Complainant is Headout Inc., United States of America, represented by Indus Law, India.

The Respondent is Gente Briks, United Kingdom.

### **2. The Domain Name and Registrar**

The disputed domain name <headout.info> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 3, 2025. On December 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On December 3, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 5, 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 December 10, 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 December 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 6, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on January 9, 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 to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is engaged in the business of digitally simplifying spontaneous travel experiences through its online marketplace for travelers. The Complainant was founded in New York, United States, and now has offices spread across Bangalore, Berlin, London, Dubai and Hong Kong, China by way of its subsidiaries.

The Complainant owns numerous trademark registrations for HEADOUT, such as in the United Kingdom, where the Respondent is located UK00003803607 (registered October 14, 2022). The Complainant also owns numerous domain names, such as <headout.com> from which it offers its products and services. The Complainant is listed on relevant webpages such as “www.tripadvisor.com”. It also runs mobile applications downloaded by more than 5 million users and is present at several social media platforms. Today, the Complainant has served more than 44 million users from 196 countries across more than 200 cities.

The Domain Name was registered on January 17, 2025. The Domain Name resolves to an error page.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant provides evidence of trademark registrations that predate the registration of the Domain Name and argues that its trademark is well-known. The Complainant argues it has goodwill and reputation in its trademarks, quoting former UDRP decisions filed by the Complainant. The Complainant argues that the Domain Name entirely reproduces the Complainant's distinctive trademark and it leaves no scope for differentiation or independent meaning.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name as there exists no legitimate reason for the Respondent to have registered a domain name identical to the Complainant's well-known brand and corporate name. The Respondent is not authorized to register or use a domain name incorporating the Complainant's trademark. The Respondent has not used the Domain Name in a bona fide offering of goods or services, nor has it shown any legitimate intent to do so.

The Complainant submits that the Respondent's registration of an identical domain name, many years later than the Complainant's registration of its trademarks cannot be coincidental and clearly reflects deliberate targeting of the Complainant's brand. It is implausible that the Respondent was unaware of the Complainant's rights. The Domain Name has remained passively held since its registration. It does not preclude a finding of bad faith as the Complainant's trademark is coined, distinctive and well-known. The Respondent's registration of an identical domain name, long after the Complainant's adoption and commercial use of its mark, coupled with the absence of any bona fide purpose or demonstrable preparations for legitimate use, leaves no plausible explanation other than bad faith.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

##### **A. Identical or Confusingly Similar**

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the Domain Name. See [WIPO Overview 3.0](#), section 1.7.1.

The Complainant has established that it has rights in HEADOUT. The Domain Name entirely incorporates the trademark. For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may ignore the Top-Level Domain. See [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 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. See [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 Domain Name. The Respondent has not rebutted the Complainant's showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name. The Respondent is not affiliated or related to the Complainant. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name in connection with a bona fide offering of goods or services.

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.

Based on the fame of the Complainant's trademark and the composition of the Domain Name, it is probable that the Respondent had actual knowledge of the Complainant when the Respondent registered the Domain Name. The Domain Name has not resolved to an active webpage. However, such non-use does not prevent a finding of bad faith under the doctrine of passive holding when the Complainant's trademark is distinctive and/or reputed, the Respondent has not provided any evidence of good-faith use (nor a reasonable explanation for its registration) and initially concealed its identity, and, under the circumstances of this case, the Respondent seemed to likely registered the Domain Name due to the Complainant's mark. While the Domain Name corresponds to a phrasal verb, the Panel notes that the Complainant owns <headout.com> (which differs from the Domain Name only at the gTLD), that the Complainant has offices (and a trademark registration) in the United Kingdom (where the Respondent is located), and that there is no evidence to support a potential good faith use of the Domain Name. Therefore, the Panel considers that the passive holding of the Domain Name does not prevent a finding of bad faith. See [WIPO Overview 3.0](#), section 2.1.

For the reasons set out above, the Panel concludes that the Domain Name was registered and is being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy.

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 the Domain Name <headout.info> transferred to the Complainant.

*/Mathias Lilleengen/*

**Mathias Lilleengen**

Sole Panelist

Date: January 14, 2026