ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Amadeus IT Group, S.A. v. Małgorzata Nowak, Amadeus
Case No. D2025-5039

1. The Parties

The Complainant is Amadeus IT Group, S.A., Spain, represented by Ubilibet, Spain.

The Respondent is Małgorzata Nowak, Amadeus, Poland.

2. The Domain Name and Registrar

The disputed domain name <amadeus-net.com> is registered with Squarespace Domains II LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 4, 2025. On December 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 4, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 8, 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 11, 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 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 1, 2026. The Respondent did not submit any formal response. The Respondent sent email communications to the Center on December 17, 2025. Further to the email communications of the Respondent, the Center sent a possible settlement email to the parties on December 17, 2025. On January 2, 2026, the Complainant requested the suspension of the proceeding, and the proceeding was suspended until February 2, 2026. On January 30, 2026, the Complainant requested an extension to the suspension of the proceeding which was granted until March 1, 2026. On March 2, 2026, the Complainant sent an email communication to the Center to inform about the unsuccessful settlement attempt. On March 6, 2026, the Center reinstituted the proceeding.

The Center appointed Kateryna Oliinyk as the sole panelist in this matter on March 13, 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

The Complainant is a Spain-based company and one of the global leaders in technology solutions for the travel industry, founded in 1987. The company provides services across the entire travel ecosystem, including airlines, airports, hotels, and travel agencies, operating a transaction-based business model closely linked to global travel volumes.

With over 15,000 employees and operations in more than 190 countries, the Complainant is a publicly listed company on the IBEX 35 index and serves a wide range of prominent international clients.

To protect its brand, the Complainant owns an extensive portfolio of trademarks for AMADEUS, registered in over 165 jurisdictions worldwide, reflecting its global presence and core business activities, including the following:

- International Trademark Registration No. 511594 for AMADEUS, registered on April 7, 1987, for services in International Class 39;

- International Trademark Registration No. 1321806 for AMADEUS, registered on June 22, 2016, for goods and services in International Classes 9, 35, 36, 38, 39, 41, 42, 43, and 45;

- United States of America Trademark Registration No. 1529969 for AMADEUS, registered on March 14, 1989, for goods and services in International Classes 35, 39 and 42.

The Complainant's trademark notoriety is acknowledged by experts in numerous prior UDRP decisions.

The disputed domain name was created on July 29, 2025, and currently resolves to an "under construction" webpage. Mail Exchange ("MX") records, necessary for sending and receiving emails using the disputed domain name, have been activated for the disputed domain name.

The Respondent initially indicated an interest in pursuing a potential settlement and requested that the proceeding be suspended for that purpose. The Respondent explained that it did not wish to engage in court proceedings and intended only to notify that it had relinquished control of the disputed domain name. However, following this communication, the Respondent ceased responding and has remained unresponsive to all subsequent requests concerning the execution of a settlement.

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.

Identical or Confusingly Similar

The Complainant contends that it owns rights in the AMADEUS trademark.

The Complainant further alleges that the disputed domain name, which incorporates the AMADEUS trademark in its entirety with the mere addition of the term "-net", is confusingly similar to the Complainant's AMADEUS trademark.

Addition of the Top-Level Domain ("TLD") shall be viewed as a mere registration requirement.

No rights or legitimate Interests

The Complainant asserts that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Complainant claims that it has not licensed or authorized the Respondent to register or use the disputed domain name, nor is the Respondent affiliated to the Complainant in any form.

There is no evidence demonstrating that the Respondent might be commonly known by the disputed domain name.

There is no evidence of the Respondent's use of the disputed domain name in connection with a bona fide offering of goods or services, nor any evidence of a legitimate noncommercial or fair use of the disputed domain name by the Respondent. Moreover, the composition of the disputed domain name which incorporates the AMADEUS trademark in its entirety may create confusion regarding affiliation of the disputed domain name with the Complainant.

Registered and used in bad faith

The Complainant contends that the disputed domain name has been registered and is being used in bad faith.

The Complainant first considers that the registration of a domain name that is confusingly similar to a widely known trademark, as is the case here, creates a presumption of bad faith. The Complainant adds that the Respondent knew or should have known of the Complainant's trademark rights at the time of registration of the disputed domain name, considering the reputation and distinctiveness of the AMADEUS trademark, which were widely used in commerce well before the registration of the disputed domain name. The Complainant also considers that the Respondent is not using the disputed domain name for any legitimate or fair purpose and asserts that the lack of active use of the disputed domain name does not prevent a finding of bad faith.

The Complainant further asserts that configuration of MX servers under the disputed domain name also demonstrates bad faith registration and use of the disputed domain name.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. However, on December 17, 2025, the Respondent sent two email communications to the Center requesting for the suspension of the proceeding to explore settlement talks to resign the disputed domain name and to conclude this proceeding.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: "[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following:

I. that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
II. that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
III. that the disputed domain name has been registered and is being used in bad faith.

Considering that the Respondent did not reply to the Complainant's contentions as to the substance, in order to determine whether the Complainant has met its burden as stated in paragraph 4(a) of the Policy, the Panel bases its decision on the statements and documents submitted in accordance with the Policy and the Rules.

Under paragraph 5(f) and paragraph 14(b) of the Rules, if a respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint, and where a party does not comply with any provision of the Rules, the Panel "shall draw such inferences therefrom as it considers appropriate".

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The disputed domain name incorporates the AMADEUS trademark in its entirety with the mere addition of the term "-net".

The entirety of the mark 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 3.1, section 1.7.

Although the addition of other terms here, "-net", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

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 that 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 3.1, 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.

The evidence on record shows that the Respondent is not commonly known by the disputed domain name. The Respondent is not making legitimate noncommercial or fair use of the disputed domain name or use for bona fide offering of goods or services, because at the time of this Decision, the disputed domain name does not direct to an active website. The Respondent has not been authorized by the Complainant to use the Complainant's trademark in a domain name. 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.

In addition, based on the undisputed submissions provided by the Complainant, it is possible that the Respondent could have used the disputed domain name for fraudulent purposes as MX records have been set up and respective subdomain enabling sending emails. In these circumstances, the Panel considers that the configuration of MX records could present the potential for an email phishing scheme impersonating the Complainant with a view for commercial gain and that the disputed domain name was registered with that in mind. Such activity cannot confer any rights or legitimate interests upon the Respondent.

In addition, the Panel considers that the composition of the disputed domain name creates a risk of implied affiliation with the Complainant which cannot constitute fair use. WIPO Overview 3.1, section 2.5.1. 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 3.1, 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 formally responded to the Complaint;
b) the reputation and distinctiveness of the Complainant's trademark;
c) the present inactive use of the disputed domain name, which does not prevent a finding of bad faith under the passive holding doctrine (WIPO Overview 3.1, section 3.3);
d) the Respondent's choice to retain a privacy protection service.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. On the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, and the composition of the disputed domain name which includes the Complainant's AMADEUS trademark in its entirety accompanied with the element "-net" which is common generic TLD, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Complainant has alleged that the Respondent has configured MX records for the disputed domain name and respective subdomains, suggesting an intention to potentially use the disputed domain name for illegitimate or illegal purposes. Panels have held that the use of a domain name for illegitimate or illegal activity, here claimed to be suspicious configuration of the disputed domain name for an MX record for email use in a phishing scheme, constitutes bad faith. WIPO Overview 3.1, section 3.4. The Panel finds that the configuration of MX records presents the potential for the Respondent to engage in an email phishing scheme impersonating the Complainant and that such use constitutes bad faith.

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 <amadeus-net.com> be transferred to the Complainant.

/Kateryna Oliinyk/
Kateryna Oliinyk
Sole Panelist
Date: March 31, 2026