

ADMINISTRATIVE PANEL DECISION

CDA Brands v. Jonh Doe

Case No. D2025-5119

1. The Parties

The Complainant is CDA Brands, France, represented by Nameshield, France.

The Respondent is Jonh Doe, Russian Federation.

2. The Domain Name and Registrar

The disputed domain name <walibi-booking.com> (the “Domain Name”) is registered with Nicenic International Group Co., Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 9, 2025. On December 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On December 11, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 12, 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 amended Complaints on December 12 and December 15, 2025, respectively.

The Center verified that the Complaint together with the amended Complaints 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 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 5, 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 a division of the French company Compagnie des Alpes that operates ski resorts in the French Alps and other leisure destinations in Europe, including three leisure parks under the brand WALIBI.

The Complainant owns several trademark registrations in WALIBI, such as International trademark registration No. 555217 (registered on May 23, 1990) and European trademark No. 006012942 (registered on March 4, 2008). The Complainant owns a domain name portfolio with domain names such as <the-world-of-walibi.com> (registered in 2012) and promotes the Walibi leisure parks at “www.walibi.com”.

The Domain Name was registered on November 18, 2025. The Complainant documents that the Domain Name previously resolved to a webpage offering tickets for leisure parks and displaying the Complainant's trademark. At the time of filing of the Complaint and the Decision, the Domain Name resolved to an error page.

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 Domain Name. The Complainant documents registered trademark rights. The Complainant argues that the Domain Name is confusingly similar to the Complainant's trademark. The Domain Name reproduces the Complainant's trademark, and the addition of “booking” does not prevent a risk of confusion.

The Complainant asserts that the Respondent is not affiliated with nor authorized by the Complainant in any way. The Complainant argues that the Respondent cannot establish rights in the Domain Name, as the Respondent has not made any use of, or demonstrable preparations to use, the Domain Name in connection with a bona fide offering. On the contrary, the Respondent's use of the Domain Name is done in bad faith.

Based on the use of the Domain Name, and the fame of the Complainant's leisure parks, the Complainant is convinced that the Respondent has registered the Domain Name with full knowledge of the Complainant's trademark. The Respondent has used the Domain Name to attract Internet users to its website, by creating a likelihood of confusion with the Complainant's trademark. Even if the Domain Name at present does not resolve to an active webpage, the Respondent has not demonstrated any new activity in respect of the Domain Name, and it is not possible to conceive of any plausible actual or contemplated active use of the Domain Name by the Respondent that would not be illegitimate.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The first element functions primarily as a standing requirement. The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed

domain name. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.7.

The Complainant has established rights in its trademark WALIBI. The Domain Name incorporates the Complainant’s trademark with “-booking” added. The addition does not prevent a finding of confusing similarity between the Domain Name and the Complainant’s trademark. See [WIPO Overview 3.0](#), section 1.8. For the purposes of assessing confusing similarity under paragraph 4(a)(i) of the Policy, it is permissible for the Panel to ignore the generic Top-Level Domain (“gTLD”) as it is viewed as a standard registration requirement. See [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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 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 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. If the respondent fails to come forward with such relevant evidence, the complainant has satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

The Complainant asserts that the Respondent is not affiliated with nor authorized by the Complainant. There is no evidence suggesting that the Respondent has any rights or legitimate interests in the Domain Name. Further, there is no evidence suggesting that the Respondent is commonly known by the Domain Name. The Respondent cannot establish rights in the Domain Name, as it has not made use of, or demonstrable preparations to use the Domain Name in connection with a bona fide offering. The Respondent’s use of the Domain Name is evidence of bad faith use, see below.

The Panel finds that the Complainant has made out a *prima facie* case showing that the Respondent has no rights or legitimate interests in the Domain Name. It has not been rebutted by the Respondent. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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.

The Complainant’s trademarks were registered long before the registration of the Domain Name. The composition and use of the Domain Name, manifest that the Respondent was aware of the Complainant’s trademark when the Respondent registered the Domain Name. The Respondent has not provided any evidence of good faith use. The Domain Name appears to have been registered in an attempt to attract, for commercial gain, Internet users to the Respondent’s website by creating a likelihood of confusion with the Complainant’s trademark as it previously resolved to a webpage offering tickets for leisure parks and displaying the Complainant’s trademark. The current non-use of the Domain Name does not prevent a finding of bad faith under the doctrine of passive holding considering the reputation of the Complainant’s trademark, the composition of the Domain Name and the lack of response from the Respondent. See [WIPO Overview 3.0](#), section 3.3.

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.

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 <walibi-booking.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: January 19, 2026