

## **ADMINISTRATIVE PANEL DECISION**

Opera di Santa Maria del Fiore v. Dhanushka Gunawardana  
Case No. D2025-5250

### **1. The Parties**

The Complainant is Opera di Santa Maria del Fiore, Italy, represented by Studio Legale Del Re, Italy.

The Respondent is Dhanushka Gunawardana, Italy, self-represented.

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

The disputed domain name <visitflorenceduomo.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 December 16, 2025. On December 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 17, 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, Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant December 17, 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 amendment to the Complaint on December 18, 2025, and an amended Complaint on December 22, 2025.

The Center verified that the Complaint together with the amendment to the Complaint and 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 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 11, 2026. The Response was filed with the Center on January 11, 2026.

The Center appointed Andrea Mondini as the sole panelist in this matter on January 14, 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 non-profit legal entity entrusted with the ownership, administration, conservation, and enhancement of the entire monumental complex including of the Cathedral of Santa Maria del Fiore (commonly also referred to as “Duomo di Firenze”, in English “Florence Duomo”), including the Cathedral, the Brunelleschi Dome, the Baptistery, the Bell Tower, the Museum, and all related cultural assets.

The Complainant holds the domain name <duomo.firenze.it> which hosts its main website.

The disputed domain name was registered on December 22, 2023.

The disputed domain name currently resolves to a website claiming to provide a “complete, honest, and practical guide” to visit the Florence Duomo. It contains a description of this monumental complex and of its history, practical tips for the visit and links to book the tickets.

#### **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 contends as follows:

The Complainant is the sole entity authorized to manage official communications, visitor information, and ticketing services relating to the Florence Duomo. The Complainant operates a single official institutional website “www.duomo.firenze.it” and a single official ticketing platform, which are the only legitimate and authorized channels from which visitors may obtain accurate information and purchase valid admission tickets.

The Complainant’s abbreviated institutional name Duomo Firenze identifies exclusively the Florence Cathedral complex, solely owned by the Complainant.

The disputed domain name is composed of the English translation – “Florence Duomo,” and the verb “visit,” which reinforces the misleading impression of an official visitor or ticketing service. A translation does not negate confusing similarity when the underlying identifier remains recognizable.

On the website posted under the disputed domain name, the Respondent promotes visit services specifically for the Florence Duomo demonstrating that the Respondent itself understands “Florence Duomo” to refer to the Complainant’s institution.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized by the Complainant to use the translation of its institutional name and does not operate any legitimate service under that designation.

The disputed domain name was registered in bad faith because the Respondent could not plausibly have been unaware of the Florence Duomo, one of the world’s most recognizable cultural monuments. The selection of “Florence Duomo” in combination with “visit” reveals an intentional strategy to intercept users seeking the Complainant’s official ticket office.

The Respondent is using the disputed domain name in bad faith by selling unauthorized tickets to the Complainant’s monuments, without any affiliation or authorization, thereby misleading consumers into believing that they are purchasing official admissions.

## B. Respondent

The Respondent requests that the Complaint be denied for the following reasons:

The website posted under the disputed domain name provides an informational travel guide that uses affiliate referral links to third-party providers. The Respondent does not sell tickets, does not process payments, and is not the merchant of record for any tours or tickets. The website does not provide checkout functionality, does not collect card details, does not accept payments, and does not include e-commerce or payment gateway plugins. The site's Terms and Conditions state clearly that the site does not sell tickets and does not process payments. Any "check availability" actions direct users to third-party platforms (e.g., GetYourGuide) where transactions may be carried out.

The Respondent has never represented itself as the Complainant or as the "official ticket office," has not used the Complainant's official logo, and has no intent to mislead Internet users.

The website includes a footer disclaimer stating it is not the official website and that it is monetized via affiliate links. The site also links users to the Complainant's official website "www.duomo.firenze.it". The Respondent has also updated the page title from "Official Information & Ticket Guide" to "Visitor Information & Ticket Guide" to avoid any possible confusion; however, at all relevant times the site was linked to the Complainant's official website and contained a non-affiliation disclosure.

The Respondent acknowledges the disputed domain name refers to the Florence Duomo, which is a well-known geographic/cultural destination. The disputed domain name is used in a descriptive sense for an informational travel guide and does not use the Complainant's formal name. The Respondent has a legitimate interest in operating an informational travel guide website and referring users to third-party services through lawful affiliate marketing.

The Respondent does not impersonate the Complainant, does not claim to be the official ticket office, does not sell tickets or process payments. These facts establish a bona fide offering of informational services and a legitimate interest under the Policy.

The domain was not registered and is not being used in bad faith. The Respondent has never attempted to sell the disputed domain name to the Complainant and does not collect payments, but uses third-party affiliate links that direct users to external platforms for any purchase.

## 6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the complainant has rights;
- (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 term "trademark or service mark" as used in UDRP paragraph 4(a)(i) encompasses both registered and unregistered (sometimes referred to as common law) marks. [WIPO Overview 3.0](#), section 1.1.1. In the present case, the Complainant has not shown the existence of any trademark registration for the term "Florence Duomo" (or "Duomo di Firenze"). The Complainant merely asserts that "Florence Duomo" is an English translation of its "institutional name" but has not provided any evidence or argument that this term would constitute an unregistered (common law) mark.

Due to the finding below in respect of the second element of the Policy, however, the Panel does not need to reach a conclusion as to whether the Complainant has established unregistered trademark or service mark rights for the purpose 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.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that for a complainant to prove 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 3.0](#), section 2.1.

In the Complaint, the Complainant asserts that it has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

In the Response, however, the Respondent has sought to rebut the Complainant’s prima facie showing by providing evidence demonstrating rights or legitimate interests in the disputed domain name.

In particular, the Respondent has shown that the website posted under the disputed domain name provides an informational travel guide – which follows in a referential sense from the use of the term “visit” in the disputed domain name – that uses affiliate referral links to third-party providers including links to the Complainant’s official website “www.duomo.firenze.it”. Any “check availability” actions direct users to third-party platforms where the activity providers are identified and transactions may be carried out. The Respondent does not sell tickets, process payments, and is not the merchant of record for any tours or tickets. The site’s Terms and Conditions state that the site does not sell tickets and does not process payments, and the website includes a footer disclaimer clearly stating it is not the official website (and that it is monetized via affiliate links).

In the view of the Panel, considering that the disputed domain name refers to the Florence Duomo, which is a well-known cultural site, the Respondent has a legitimate interest in operating an informational travel guide website describing this historic landmark and referring users to third-party services and the Panel is not of the view that the use of the term “visit” in the disputed domain name sends an inappropriate signal to users that the Respondent is somehow operating the official site of the Complainant when it is not.

Based on the available record, the Panel finds the second element of the Policy has not been established.

Therefore, the Panel does not need to reach a conclusion as to whether the Complainant has established the first and the third element of the Policy.

## **7. Decision**

For the foregoing reasons, the Complaint is denied.

*/Andrea Mondini/*

**Andrea Mondini**

Sole Panelist

Date: January 28, 2026