

ADMINISTRATIVE PANEL DECISION

Qiddiya Investment Company v. Jamshad Ahmed
Case No. D2026-1708

1. The Parties

The Complainant is Qiddiya Investment Company, Saudi Arabia, represented by Saba & Co. Intellectual Property s.a.l. (Offshore) Head Office, Lebanon.

The Respondent is Jamshad Ahmed, United Kingdom, represented by John Berryhill, Ph.d., Esq., United States of America.

2. The Domain Name and Registrar

The disputed domain name <visitqiddiacity.com> is registered with Epik LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 22, 2026. On April 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23, 2026, 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 (The identity of the Respondent is hidden) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 24, 2026, 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 April 27, 2026.

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 April 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 18, 2026.

The Center appointed John Swinson as the sole panelist in this matter on June 1, 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.

The Response was filed with the Center on May 22, 2026. The Complainant filed a supplemental filing with the Center on June 9, 2026.

4. Factual Background

The Complainant was established in 2018 and oversees the implementation and development of the Qiddiya Project. The Qiddiya Project is a Saudi entertainment megaproject aimed at becoming one of the largest cultural, sports and entertainment cities in the Kingdom of Saudi Arabia. It was officially announced on April 7, 2017 and some parts of the development have opened, such as the Aquarabia and the PlayMaker film studios. Details of the Qiddiya Project are available on the Complainant's website at "www.qiddiya.com".

According to the Complainant, "the Qiddiya Project draws inspiration from the historical significance of the Qiddiya area, whose origins date back centuries. Historically, the site functioned as a village located along one of the trade and pilgrimage routes traversing the Arabian Peninsula."

The Complainant owns a global portfolio of registered trademarks for a device mark that includes the term "Qiddiya" (in English and Arabic) and a representation of mountains. These registrations include:

- Saudi Arabia Registration No. 1440004754 that was filed on November 1, 2018 and registered on January 9, 2019.
- United Kingdom Registration No. UK00004125365 filed on November 15, 2024 and registered on February 7, 2025.

The disputed domain name was registered on December 7, 2023.

The Respondent is a professional driving instructor in the United Kingdom and operates websites such as at "www.learner.co.uk" to promote his driving school.

The website at the disputed domain name lists the disputed domain name for sale for USD 99,888.

The Respondent is the registrant of other domain names, such as <birminghamcity.co.uk>, <ilovejeddah.com> and <visittabuk.com>. Some of these domain names are also advertised as for sale, and at least one <visitlusali.com> is under development as an informational website for visitors and residents for Lusali.

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.

In summary, the Complainant makes the following submissions.

The disputed domain name incorporates the Complainant's QIDDIYA mark in its entirety, with the mere addition of the descriptive terms "visit" and "city". The disputed domain name misappropriates sufficient textual components from the Complainant's mark such that an ordinary Internet user who is familiar with the goods or services distributed under the mark would upon seeing the disputed domain name likely think that owing to the visual and/or phonetic similarity between the mark and the disputed domain name that an

affiliation exists between the site identified by that domain name and the owner or a licensed user of the mark.

The Complainant has not licensed, authorized or otherwise permitted the Respondent to use the QIDDIYA trademark, nor to register any domain name incorporating that mark. There is no relationship between the Complainant and the Respondent. that would give rise to any rights or legitimate interests on the part of the Respondent.

The disputed domain name resolves to a “for sale” landing page offering the disputed domain name for sale for USD 99,888. Such use does not constitute a bona fide offering of goods or services nor a legitimate non-commercial or fair use under the Policy

It is hard to conceive that the Respondent registered the disputed domain name without being aware of the Complainant’s QIDDIYA mark.

The Complainant’s QIDDIYA mark is distinctive and widely known. The launch of the Qiddiya project was publicly announced in April 2017 and received extensive international and regional media coverage, well before the registration of the disputed domain name.

B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

In summary, the Respondent makes the following submissions.

This case involves what is principally a geographic term in relation to the plain language of the disputed domain name. Trademark law is intended to protect goodwill in allowing consumers to distinguish the sources of goods and services in the marketplace, but it is not intended to monopolize the ability to communicate functional information such as geographic terms. The problem the Complainant has created for itself here is that the Complainant appears to believe that the various commercial services it intends to provide in the place can be leveraged to give it a monopoly on referring to the place itself.

The Respondent's registration and use of the disputed domain name, and the Respondent's legitimate interest in an invocation to visit a geographic place squarely sets this proceeding into a well-established category of UDRP cases involving various claims of rights – even accompanied by registered marks – in what otherwise are pre-existing geographic terms.

The Respondent leaves it up to the Panel to determine whether the appearance of a geographic place name among a three-word sentence renders the disputed domain name to be “confusingly similar” to the figurative and logo marks for which the Complainant has obtained particular rights in goods and services which are more particular than a general reference to “the historic site of Qiddiya”. It can be readily shown that use of Qiddiya to refer to the place in question long pre-dates the Complainant's attempt to monopolize language to the extent of claiming an exclusive right in phrases which refer to it.

Registration of geographic domain names as inventory for future development is not premised on exploitation of any rights claimed by the Complainant, at least not to the extent the Complainant otherwise appears to claim an outright monopoly in this historic place name.

Where a domain name is susceptible of legitimate non-infringing descriptive use, there is likewise a legitimate interest in investing in descriptive domain names which may be offered generally to others interested in using them for their geographically descriptive primary meaning, in contrast to any particular use of the Complainant's logo or in goods and services in which the Complainant may legitimately claim rights.

According to the Respondent, the Complainant admits that the city in question is located among: “the breathtaking natural landscapes of the historic Qiddiya site” and refers to: “the historical significance of the Qiddiya area, whose origins date back centuries.”

The Complainant has failed to demonstrate that the Respondent's registration of the disputed domain name, among a pattern and portfolio of similarly-themed geographically descriptive phrases, for the purpose of eventual development or resale was premised on an intent to exploit the Complainant's limited rights in its compound and figurative marks which otherwise consistent of an admitted and historic geographic place name. The Complainant has further failed to show, despite asserting a long list of trademark registrations, that the Respondent's use of the disputed domain name has been premised on any trade or service mark the Complainant may have. As a geographically descriptive term, the disputed domain name is susceptible of non-infringing uses by either the Respondent, should he develop the name, or a prospective buyer interested in use of the phrase in connection with its directly geographically-denotive primary meaning.

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- (i) the disputed domain name is identical or confusingly similar to a 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.

The onus of proving these elements is on the Complainant.

Supplemental Submission

The Complainant filed a Supplemental Submission on June 9, 2026.

Paragraphs 10 and 12 of the Rules grant the Panel sole discretion to determine the admissibility of unsolicited supplemental filings. While paragraph 10(d) states that: “The Panel shall determine the admissibility, relevance, materiality and weight of the evidence”, paragraph 12 provides that: “In addition to the complaint and the response, the Panel may request, in its sole discretion, further statements or documents from either of the Parties”. As a general matter, unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel.

The Supplemental Submission provides further factual detail regarding the issue of geographic significance of the term “Qiddiya”. These submissions are helpful to the panel.

The Complainant has shown reasons that convince the Panel that a supplemental submission is warranted. The submissions relate to issues raised in the Response that may consider to be unexpected.

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 owns trademark registrations for a device mark that includes the term “Qiddiya” (in English and Arabic) and a representation of mountains as set out in section 4 above.

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 Respondent submits that the Panel, in comparing the Complainant’s trademark and disputed domain name, should consider that the term “Qiddiya” is not protectible as a trademark because it is “a longstanding and historic geographic place name.”

The Complaint includes statements referring to “the breathtaking natural landscapes of the historic Qiddiya site” and “the historical significance of the Qiddiya area, whose origins date back centuries”. The Respondent submits that “Qiddiya” is an ancient historical name for the place where the Complainant’s city is located.

The Respondent relies on several prior decisions under the Policy such as *Ville de Paris v. Salient Properties LLC*, WIPO Case No. [D2009-1279](#) which states:

“The confusing similarity question can be difficult where a complainant relies on a figurative mark comprising a logo and a descriptive or geographical expression. On one approach, the logo element of the complainant’s mark is ignored in the comparison with the disputed domain name, on the basis that it is normally the words in a figurative mark which convey the mark’s principal meaning, or impression. But where the words in the mark are purely descriptive, or the name of a well-known place, the words alone will not convey any meaning other than the descriptive or geographical one (unless of course the descriptive words have acquired, through use, a secondary meaning denoting the complainant’s particular goods or services – something which has not been alleged in this case).”

The Respondent also acknowledges that commercial developments (such as Disney World) can become places but still retain trademark rights in the name of the commercial development. The Respondent makes the following submission: “The proprietary commercial developments are world famous trademarks. The place names are not.”

Merely because the disputed domain name has a geographic connotation does not mean that the Complainant should fail to satisfy the confusing similarity test. See, for example, *Sydney Markets Limited v. Nick Rakis trading as Shell Information Systems*, WIPO Case No. [D2001-0932](#); *Sydney Opera House Trust v. Trilynx Pty. Limited*, WIPO Case No. [D2000-1224](#); *Sentosa Development Corporation v. Jang Shih Chieh*, WIPO Case No. [D2010-1082](#).

Thus, the Panel must consider whether “Qiddiya” is the name of the well-known place that does not perform the function of a trademark.

Based on review of the materials provided by the Complainant and the Respondent, the Panel considers that Qiddiya was not a place (a town, city, or recognized destination) before the time of the Complainant’s development project.

Before the Complainant’s Qiddiya project began in about 2017, the land on which the project was constructed was, for the most part, undeveloped desert terrain within the Tuwaiq mountain range. While the region where the Complainant’s Qiddiya project is built is part of the historical landscape of the Najd region (which has been traversed by trade and pilgrimage routes for centuries), as far as the Panelist is aware from the materials before it, there was no settlement, city, or destination called Qiddiya that existed as a historical site, city or village before the Complainant’s Qiddiya project was launched.

At most, the materials before the Panel show that “Qiddiya” or “Al-Qiddiya” has historically been used as a local name in connection with a descent, road, slope, or geographic feature near Riyadh but not a city in any established civic or political sense. The historical Arabic materials advanced by the Respondent refer to a road descent, a dangerous slope on the Riyadh-Jeddah highway, and a mountain pass which are features of terrain and infrastructure, not a named municipality or public destination.

The Panel concludes that the term “Qiddiya City” when used in the disputed domain name in conjunction with the term “visit” is not a reference to any past or existing city or geographical place, or even to the dangerous slope on the Riyadh-Jeddah highway, but a reference to the Complainant’s recently established entertainment development.

The Panel considers the present case more akin to the <visitneckerisland.com> case, *VLE Limited, Virgin Enterprises Limited v. Umeh Alex*, WIPO Case No. [D2020-2904](#), which involved an island in the British Virgin Islands, United Kingdom, that was purchased by Sir Richard Branson in 1978 as an uninhabited island. All land on the island was entirely privately owned. Since the 1980s the island was solely used as a luxury resort operated by the Virgin Group and more recently the complainant in that case. The panelist stated: “While Necker Island is a geographical term, it refers to an island that was uninhabited prior to its purchase by Sir Richard Branson and one that is exclusively owned and used by the Complainant VLE Limited for a private resort. A reference to ‘Necker Island’ can only be a reference to the property owned and operated by the Complainant VLE Limited.”

Considering the foregoing, the Panel finds that the operative textual part of the Complainant’s registered trademark is recognizable 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.

The Complainant’s registered trademark includes design elements, being a representation of mountains. Panel assessment of identity or confusing similarity involves comparing the (alpha-numeric) domain name and the textual components of the relevant mark. The mountains in the registered trademark are incapable of representation in a domain name. In such circumstances, these design elements are largely disregarded for purposes of assessing identity or confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.10. The Panel has focused on the non-design elements of the Complainant’s mark for purposes of assessing confusing similarity.

Although the addition of other terms (here, “visit” and “city”) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s 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.

The disputed domain name not been used for a substantive website, and there is no evidence of preparatory activities or preparations for use of the disputed domain name undertaken by the Respondent. The Response states that the Respondent is a collector and developer of descriptive geographic terms for prospective resale or development.

Assertions about intended future use of the disputed domain name, without more, are insufficient to establish rights or legitimate interests under the second element of the Policy. *Avanade Inc. v. Robert Tansey*, WIPO Case No. [D2001-0824](#); *NextGen Fast Fashion Limited v. Apps 0049*, WIPO Case No. [D2025-3846](#).

The Respondent is a domain name investor who buys geographic-related domain names in order to resell them. In such circumstances, paragraph 4(c)(i) of the Policy will only apply where the Respondent did not register and use the domain name in bad faith. This analysis involves whether the evidence demonstrates that Respondent was aware of the Complainant and its QIDDIYA trademark when registering the disputed domain name. After reviewing the available record, and for reasons that will be explained in more detail under the third element, the Panel finds that the Respondent cannot demonstrate that paragraph 4(c)(i) applies in respect of the disputed 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.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant.

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.

The Panel considers that the disputed domain name is a reference to the Complainant's Qiddiya entertainment, sports and cultural project. The Complainant has "Qiddiya" as part of its corporate name and operates a website at "www.qiddiya.com" that refers to its project. This website uses the term "Qiddiya City" as the name for this project, for example, as headings on the website and in the title of relevant pages of the website. When the Panel conducted a Google search of the term "Qiddiya", the first page of search results all related to the Complainant or its Qiddiya City project. As discussed above, there was no Qiddiya City prior to the Complainant's development.

The Panel concludes that the message "Visit Qiddiya City" given by the disputed domain name is a reference to visit the Complainant's project called Qiddiya City and not a message to visit some other location.

The Respondent does not assert that he was unaware of the Complainant's Qiddiya City development when he registered the disputed domain name. The Panel concludes that the Respondent registered the disputed domain name knowing of the Complainant's Qiddiya City development and because of the reputation of the Complainant's QIDDIYA mark, not merely due to a general geographic meaning. The Panel is willing to accept that the Respondent held a subjective belief that a general concept of geographic descriptiveness might cover his registration of the disputed domain name; if that is true, that belief would not however override the fact that the reason the term was attractive to the Respondent was precisely because of the Complainant's activities and trademark, not because of a pre-existing historical reputation as a geographic

area (which to be clear, the Panel does not agree is the case, and marks a meaningful contrast to the cases cited by the Respondent).

The Panel considers that the Respondent registered the disputed domain name targeting the Complainant's mark with resale of the disputed domain name as a key part of his business model. These circumstances support a finding of bad faith under paragraph 4(b)(i) of the Policy.

The findings in this decision are limited to the disputed domain name, and the Panel makes no comment or finding in respect of other domain names in the Respondent's portfolio.

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 <visitqiddiyacity.com> be transferred to the Complainant.

/John Swinson/

John Swinson

Sole Panelist

Date: June 15, 2026