

ADMINISTRATIVE PANEL DECISION

B&B Hotels France v. Joseph Morales

Case No. D2026-1764

1. The Parties

The Complainant is B&B Hotels France, France, represented by Fiducial Legal by Lamy, France.

The Respondent is Joseph Morales, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <hotelmarseillebb.link> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 24, 2026. On April 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 27, 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 (NameSilo, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 28, 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 amendment to the Complaint on April 30, 2026.

The Center verified that the Complaint together with the amendment to the 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 May 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 29, 2026.

The Center appointed María Alejandra López García as the sole panelist in this matter on June 4, 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 Société par actions simplifiée, headquartered in Paris, France, incorporated on May 28, 1990, and registered in the French Registry of Commerce under No. 378 047 500. The Complainant operated under the name B&B Hotels (before being recently renamed to B&B Hotels France) to identify its commercial activity since 1990.

The Complainant has been offering services of hotels, restaurants, temporary accommodations, and related booking services, including through the Internet, to a wide range of customers since 1990. The Complainant owns a chain of budget hotels with more than 452 locations in France, and more than 947 worldwide, including Germany, Italy, Spain, Portugal, Belgium, Switzerland, Poland, Austria, Slovenia, the Czech Republic, the United Kingdom, and Brazil.

The Complainant has entered the French budget hotel market, with a turnover of more than 220 million euros in 2021. Over the thirty years since B&B Hotels was established, the Complainant has invested substantially in the development of its services, marketing, and advertising for its brand. The Complainant, to proactively protect and market its trademarks on the Internet, has registered multiple domain names under different extensions, as early as 1998, consisting of the elements “BB” and “HOTEL” combined (with or without hyphens), either under the format “BBHotel(s)” or “Hotel(s)-BB”.

The Complainant also owns multiple trademarks comprising the elements “BB” and “HOTEL” in various orders, such as:

- French trademark for B&B HOTEL (and design), Registration No. 1635994, in International Class (“IC”) 43, registered on December 7, 1990, and in force until December 7, 2030;
- French trademark for BB-HOTEL (word mark), Registration No. 3182313, in IC 43, registered on August 29, 2002, and in force until August 29, 2032;
- French trademark for HOTELBB (word mark), Registration No. 3182312, in IC 43, registered on August 29, 2002, and in force until August 29, 2032;
- International trademark for B&B HOTELS (and design), Registration No. 1706736, in ICs 9, 35, 38, 41, 42 and 43, registered on September 29, 2022, and in force until September 29, 2032, designating multiple jurisdictions, including the United Kingdom.

The disputed domain name was registered on September 8, 2025, and resolves to an inactive website with no content on it.

The disclosed Respondent seems to be an individual located in the United Kingdom.

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 that the disputed domain name is confusingly similar to its trademarks B&B HOTELS, BB-HOTEL, or HOTELBB; irrespective of the ampersand symbol "&", which is technically incapable of representation in a domain name. The Complainant contends that the addition of a geographical term, in this case the French city of "Marseille", reinforces the confusion among clients, Internet users, and dilutes the value of the Complainant's worldwide known trademarks, in particular B&B HOTELS.

The Complainant contends that the Respondent has no rights or any legitimate interests in the disputed domain name, given that the disputed domain name is not in use; the Respondent, Joseph Morales, has never been known under the name "hotel marseille bb", as shown through a simple Google Search; that the Complainant has not licensed or authorized the Respondent in any way to use the trademarks B&B HOTELS, BB-HOTEL or HOTELBB, including as a domain name; that the Respondent has not adduced any evidence of legitimate use of, or demonstrable preparations to use the disputed domain name in connection with a bona fide offering of good and services, which on contrary it has remained inactive showing such lack of bona fide intention to use the disputed domain name.

The disputed domain name was registered and is being used in bad faith, given that by the time of its registration, meaning September 8, 2025, the Respondent was aware of the existence of the Complainant's trademarks, which rights were established in the early 1990s; that B&B HOTELS is a well-known trademark and a famous hotel chain in France and in Europe; that such inactive use, is an indication of bad faith under the Policy.

On November 21, 2025, the Complainant, in an attempt to resolve the matter amicably, sent a cease-and-desist letter to the Respondent through the concerned Registrar's platform form. Despite the Complainant's efforts, the Respondent did not provide any response to the Complainant.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove that:

- (i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; and
- (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.

In accordance with paragraph 5(f) of the Rules, in the absence of a Response, the Panel shall decide the dispute based upon the complaint. The complainant bears the burden of proof; a respondent's default does not, by itself, mean that the complainant is deemed to have prevailed. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)") section 4.3. Therefore, the Panel will decide this case based on the "balance of probabilities" or "preponderance of evidence" standard. See [WIPO Overview 3.1](#), section 4.2.

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 trademarks and the disputed domain name. [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 Panel finds the marks are recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. In relation to the design elements in some of the marks, it is established that such elements are incapable of representation in domain names; therefore, are disregarded for purposes of assessing identity or confusing similarity under the first element. [WIPO Overview 3.1](#), section 1.10.

Although the addition of other terms here, "marseille", may bear on the 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 marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Concerning the generic Top-Level Domain (gTLD) ".link" in this case, it does not impact the assessment of the first element as it is viewed as a standard registration requirement and is therefore disregarded under the first element confusing similarity test. See [WIPO Overview 3.1](#), section 1.11.

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.

Nothing in the record suggests any of the circumstances set out in the Policy, under paragraph 4.c.(i),(ii) and/or (iii), in favor of the Respondent; on the contrary, the Panel finds that the Respondent targeted the Complainant's trademarks. In this regard, the Panel finds that the composition of the disputed domain name - which incorporates "Marseille", a major city in France where the Complainant has an established commercial presence operating more than 452 hotels - creates a false impression of association with or endorsement by the Complainant, thereby emphasizing the absence of any rights or legitimate interests in the disputed domain name. See [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.

According to the submissions, by the time of the disputed domain name's registration, meaning September 8, 2025, the Complainant had already established its trademark rights. The Complainant runs a successful business, and it has established a commercial presence across Europe, including in France and the United Kingdom, through its trademarks. The disputed domain name's composition suggests that the Respondent was aware of and specifically targeted the Complainant's trademark. In particular, the incorporation of "Marseille" - a major city in France, a country where the Complainant operates more than 452 hotels - indicates that the Respondent deliberately chose the disputed domain name with the Complainant in mind. Therefore, the Panel finds that the Respondent likely knew the Complainant, and therefore the disputed domain name was registered in bad faith. See [WIPO Overview 3.1](#), section 3.2.2.

Additionally, the Respondent has remained silent during the entire proceeding, including in relation to the cease-and-desist letter sent by the Complainant. Here, since its registration, the disputed domain has not been used, resolving to an inactive website.

Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To 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 i) the established reputation and significant commercial presence of the Complainant's trademarks in France and Europe, ii) the composition of the disputed domain name, and in particular the incorporation of "Marseille" - a major city in France, a country where the Complainant enjoys a well-established commercial presence, iii) the failure of the respondent to submit a response, iv) the failure of the Respondent to address the Complainant's cease-and-desist letter, v) the implausibility of any good faith use to which the disputed domain name may be put, in light of its composition, 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 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 <hotelmarseillebb.link> be transferred to the Complainant.

/María Alejandra López García/

María Alejandra López García

Sole Panelist

Date: June 10, 2026