

ADMINISTRATIVE PANEL DECISION

Viceroy Hotels, L.L.C., Viceroy International Hotel Management LLC v. Nam Tran, ADC Media

Case No. D2026-2122

1. The Parties

The Complainants are Viceroy Hotels, L.L.C., United States of America (“United States”), and Viceroy International Hotel Management LLC, United States, represented by Neal, Gerber & Eisenberg LLP, United States.

The Respondent is Nam Tran, ADC Media, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <viceroyhotelsandresorts.shop> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 15, 2026. On May 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 19, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 22, 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 May 27, 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 June 5, 2026. In accordance with the Rules, paragraph 5,

the due date for Response was June 25, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 26, 2026.

The Center appointed Fabrizio Bedarida as the sole panelist in this matter on June 30, 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

There are two Complainants in this administrative proceeding: Viceroy Hotels, L.L.C. and Viceroy International Hotel Management LLC. The Complainants are limited liability companies organized under the laws of the State of Delaware, United States. The Complainants own the VICEROY, VICEROY HOTEL, and VICEROY HOTELS & RESORTS trademarks, and for many years have used those trademarks through their related companies in connection with the operation of hotels and resorts and complementary services.

The Complainant's properties have garnered media attention and acclaim in international publications such as Elle Décor, the New York Times, Condé Nast Traveler, Food & Wine, Travel + Leisure, and Lucky magazine.

The Complainants have provided a list of their numerous registrations for the VICEROY, VICEROY HOTEL, and VICEROY HOTELS & RESORTS trademarks.

The Complainants are the owners, inter alia, of the following trademarks:

United Kingdom trademark registration number UK00004029392 for the VICEROY (word) trademark, registered on July 12, 2024;

United States trademark registration number 4270714 for the VICEROY (word) trademark, registered on January 8, 2013; and

European Union trademark registration number 018898961 for the VICEROY (word) trademark, registered on October 24, 2023;

The Complainants also own several domain names, including the <viceroyp-hotelsandresorts.com> domain name, which the Complainants claim has long been in continuous use as the official website for Viceroy Hotels & Resorts.

The Complainants' trademarks and domain names were all registered prior to the disputed domain name.

The disputed domain name was registered on March 3, 2026. The disputed domain name resolves to an error page.

5. Parties' Contentions

A. Complainant

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend that the disputed domain name is comprised of the Complainant's trademarks and trade name and is an exact copy of the Complainant's domain name <viceroyp-hotelsandresorts.com> aside from the generic Top-Level Domain ("gTLD"), which replaces ".com"

with “.shop.” Consequently, it is confusingly similar to the Complainants’ trademarks. The Complainants further assert that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and that the Respondent was aware of the Complainants’ trademark and activities and registered the disputed domain name with no reasonable motive except that of attempted phishing and/or intentionally capitalizing on the Complainants’ trademarks and trade name for its own commercial gain.

The Complainants have requested that the disputed domain name be transferred to Viceroy Hotels & Resorts.

B. Respondent

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

6.1. Preliminary Issue: Consolidation of Complainants

The Complaint was filed by two Complainants against a single Respondent. The Complainants are the owners of many registrations for the VICEROY, VICEROY HOTEL, and VICEROY HOTELS & RESORTS trademarks. In this regard, the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, (the “[WIPO Overview 3.1](#)”) states in section 4.11.1: “In assessing whether a complaint filed by multiple unrelated complainants may be brought against a single respondent, panels look at whether (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would be equitable and procedurally efficient to permit the consolidation.” The Panel, having reviewed all elements of this case, finds that the Complainants have a specific common grievance against the Respondent, in that the Complainants are related and jointly hold the Complainants’ VICEROY, VICEROY HOTEL, and VICEROY HOTELS & RESORTS trademarks, and that it would be equitable and procedurally efficient to permit the consolidation of their complaints. See also *Barnes Europe Consulting Kft. and Heidi Barnes-Watson v. jianhua Wang*, WIPO Case No. [D2022-3059](#), *Barnes Europe Consulting Kft., Heidi Barnes-Watson v. Privacy Service Provided by Withheld for Privacy ehf / Chris Byrd*, WIPO Case No. [D2022-1358](#), and *Barnes Europe Consulting Kft. and Ms. Heidi Barnes-Watson v. Antoine Bauch*, WIPO Case No. [D2023-0711](#). The Panel also notes that the Complainants have requested transfer to “Viceroy Hotels & Resorts”. As it is unclear to which corporate entity the Complainants refer, either one of themselves or a related group entity, the Panel considers it appropriate to treat the request as transfer to the Complainants, who may organize the final disposition of the disputed domain name after the conclusion of the proceeding.

6.2. Discussion and Findings

In order for the Complainants to obtain a transfer of the disputed domain name, paragraph 4(a) of the Policy requires that the Complainants must demonstrate to the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainants have 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.

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 Complainants have 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 entirety of all of the Complainants' trademarks, and specifically of the VICEROY HOTELS & RESORTS trademark, is reproduced and recognizable within the disputed domain name with no significant alteration. 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 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 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.

Owing to the distinctiveness of the Complainants' trademarks and reputation, the nature of the disputed domain name, which is also identical to the Complainant's domain name <viceroymhotelsandresorts.com> aside from the gTLD, which replaces ".com" with ".shop.", it is reasonable to infer that the Respondent registered the disputed domain name with full knowledge of the Complainants' trademarks, and so the Panel finds on the balance of probabilities that the Respondent was aware of the Complainants' trademarks when registering the disputed domain name.

The Panel further notes the Complainants' assertion and worries that the disputed domain name may be used for phishing. Given the misleading composition of the disputed domain name with the reproduction of the Complainants' fanciful trademarks, the Panel considers that there is a real threat for the Complainants. In this regard, the fact that the disputed domain name is almost identical to the Complainants' domain name

<viceroymhotelsandresorts.com>, the only difference being the gTLD, further increases the misleading nature of the disputed domain name.

The disputed domain name resolves to an error page, which, coupled with the composition of the disputed domain name and the use of a privacy registration service, leads the Panel to conclude that the Respondent registered the disputed domain name due to its similarity with the Complainants' trademarks in order to intentionally capitalize on the Complainants' trademarks and trade name for its own commercial gain.

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 the distinctiveness and reputation of the Complainant's trademark, and the composition of the disputed domain name, 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.

Finally, the Panel notes that the Respondent's failure to respond to the Complainants' assertions made in these proceedings further supports a finding of bad faith registration and use of the disputed domain name.

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 <viceroymhotelsandresorts.shop> be transferred to the Complainants.

/Fabrizio Bedarida/

Fabrizio Bedarida

Sole Panelist

Date: July 8, 2026