ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Bulgari S.p.A v. Curtis C. Anderson
Case No. D2026-2278

1. The Parties

The Complainant is Bulgari S.p.A, Italy, represented by SafeNames Ltd., United Kingdom.

The Respondent is Curtis C. Anderson, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <bulgarihotals.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 May 27, 2026. On May 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 29, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 29, 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 June 2, 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 June 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 29, 2026.

The Center appointed Gökhan Gökçe as the sole panelist in this matter on July 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.

4. Factual Background

The Complainant is Bulgari S.p.A., an Italian company founded in 1884 which operates in the luxury goods and hotel markets and is particularly known for its high-end jewelry including but not limited to watches, rings, necklaces, and fragrance products under its mark BVLGARI. The Complainant's trademark is both written as BVLGARI in the classic Latin alphabet and also as BULGARI in the modern alphabet. The Complainant's official website is "www.bulgari.com" and the domain name was registered on February 17, 1998.

The Complainant owns trademark registrations for its marks BULGARI and BVLGARI in several countries. The Complainant is the owner of the following trademarks:

- International Trademark Registration No. 452694 for BULGARI, registered on May 15, 1980;

- United States Trademark Registration No. 1694380 for BVLGARI registered on June 16, 1992; and

- European Union Trademark Registration No. 007138101 for BVLGARI registered on June 3, 2009.

Moreover, the Complainant owns trademarks in the mark BVLGARI and operates hotels under the BVLGARI brand.

The disputed domain name was registered on March 6, 2026. The disputed domain name resolves to a non-functional webpage. The Complainant sent a cease-and-desist letter to the Respondent on April 8, 2026, which remained unanswered.

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.

B. Respondent

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

6. Discussion and Findings

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 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 entirety of the mark is reproduced 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.

Although the addition of other terms here, the term "hotals", which appears to be a typographical misspelling of the word "hotels" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.
The generic Top-Level Domain ("gTLD") ".com" is a standard registration requirement and does not prevent the disputed domain name from being confusingly similar to the trademark.
WIPO Overview 3.1, section 1.11.1).

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.

On the contrary, it results from the evidence on record that the Complainant's BULGARI trademark registration predates the registration of the disputed domain name. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use the BULGARI trademark or to register the disputed domain name incorporating this trademark.

There is also no evidence to suggest that the Respondent has been commonly known by the disputed domain name. Moreover, the Panel considers that the composition of the disputed domain name, which incorporates the entirety of the Complainant's BULGARI trademark together with "hotals", an obvious misspelling of "hotels", carries a risk of implied affiliation with the Complainant. WIPO Overview 3.1, section 2.5.1.

The Respondent has not used the disputed domain name in connection with any bona fide offering of goods or services. The disputed domain name currently resolves to an inactive/non-functional website. Further, the non-use of the disputed domain name is not a legitimate, non-commercial or fair use of the disputed domain name under the circumstances of this case.

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.

In the present case, the Panel notes that the Complainant's rights in the BULGARI trademark predate the registration date of the disputed domain name by approximately 46 years. In light of the above as well as of the well-known character of the BULGARI trademark, and of the composition of the disputed domain name, the Panel finds that it is not conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant's BULGARI trademark, which supports a finding of bad faith registration. WIPO Overview 3.1, section 3.2.2.

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.

Furthermore, panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely known trademark, as in this case, a trademark with a high distinctive character, by an unaffiliated entity can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4.

Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's BULGARI trademark, the composition of the disputed domain name, which reproduces the Complainant's trademark in its entirety together with "hotals", an obvious misspelling of "hotels", and the fact that such composition targets the Complainant's hotel-related activities. The Panel further notes that the disputed domain name resolves to a non-functional webpage, and that the Respondent has failed to submit any response or evidence of actual or contemplated good-faith use. In these circumstances, the Panel finds that the passive holding of the disputed domain name does not prevent the finding of bad faith under the Policy (*Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.,* WIPO Case No. D2000-0163).

Additionally, the Respondent's failure to reply to the cease and desist letter sent to the Respondent in April 2026, with a view of resolving the matter amicably, supports an inference of bad faith behaviour of the Respondent in respect to the disputed domain name.

Furthermore, the Panel notes the Complainant's undisputed contention that Mail Exchanger records ("MX records") have been configured for the disputed domain name, as evidenced in Annex 15 of the Complaint. While there is no evidence before the Panel that the disputed domain name has actually been used to send fraudulent emails, the activation of MX records enables the disputed domain name to be used for email communications and therefore creates a risk of misuse for deceptive purposes, including phishing, impersonation, or other fraudulent email activity. WIPO Overview 3.1, section 3.4. (See *Principal Financial Services, Inc. v. Cong Truong*, WIPO Case No. D2025-0648; presence of MX records creates a risk that the Respondent may be using the disputed domain name for misrepresentations and/or phishing or spamming activities).

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 <bulgarihotals.com> be transferred to the Complainant.

/Gökhan Gökçe/
Gökhan Gökçe
Sole Panelist
Date: July 15, 2026