

ADMINISTRATIVE PANEL DECISION

trivago N.V v. fan hong
Case No. DAI2025-0006

1. The Parties

Complainant is trivago N.V, Germany, internally represented.

Respondent is fan hong, China.

2. The Domain Name and Registrar

The disputed domain name <trivago.ai> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 7, 2025. On March 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 11, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on March 11, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on April 2, 2025.

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 Respondent of the Complaint, and the proceedings commenced on April 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 29, 2025. The Response was filed with the Center on April 29, 2025.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on May 7, 2025. 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

Complainant is a public company incorporated in the Netherlands, with a principal place of business in Düsseldorf, Germany. Complainant's business involves travel reservation and booking, organization of travel events and trips and price comparison services. Complainant had operated under the brand TRIVAGO since 2006, beginning in Germany and thereafter, started to build a worldwide operating platform. Currently, Complainant operates in 190 countries with 54 domains worldwide. Complainant also owns and operates its primary website at <trivago.com>, registered on February 18, 2004.

In addition, Complainant owns several registered trademarks for the TRIVAGO mark, including:

- International trademark registration no. 910828 for the TRIVAGO word mark, registered on August 18, 2006, which designates China, where Respondent is located, among various other jurisdictions;
- International trademark registration no. 1211017 for the TRIVAGO word mark, registered on November 18, 2013;
- European Union trademark registration no. 012129565 for the TRIVAGO word mark, registered on February 7, 2014; and
- European Union trademark registration no. 016686065 for the TRIVAGO word mark, registered on September 25, 2017.

According to Whois records of the Registrar, the Domain Name was originally registered on February 12, 2022, and an update to the Registrar was noted on March 7, 2025. In his response, Respondent indicated that he acquired the Domain Name on February 26, 2025. At the time of filing of the Complaint, it redirected to a website on which offered the Domain Name for sale at USD 13,911 or alternatively, for rent at USD 301.41. The website also featured an option for making an offer.

As noted above, on March 11, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent and contact information in the Complaint. The Center sent an email communication to Complainant on March 11, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on April 2, 2025.

On April 2, 2025, a party who indicated he acquired the Domain Name at auction sent an email to Complainant, stating that he is a domain name broker and offered to transfer the Domain Name to Complainant for USD 1000. On April 3, 2025, Complainant enquired if the communicating party had the authority to transfer the Domain Name, after which the party sent several emails inquiring if Complainant would be willing to pay the requested fee. On the same day, April 3, 2025, Complainant informed the Center that it had been approached regarding the Domain Name.

On April 16, 2025, Complainant sent an email to the Center, indicating that the parties are in settlement discussions. On April 28, 2025, Complainant sent an email to the Center, noting that settlement discussions have been terminated and that Complainant would like to resume with the proceedings. On the same date, Respondent sent an email to the Center, noting that Complainant was causing delay and that Respondent's response was forthcoming. On April 29, Respondent submitted its response.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

In particular, Complainant contends that it has trademark registrations for TRIVAGO, and that Respondent registered and is using the Domain Name with the intention to confuse Internet users looking for bona fide and well-known TRIVAGO products and services.

Complainant notes that it has no affiliation with Respondent. Complainant further contends that Respondent is using the Domain Name as a tool to exploit Complainant's reputation for its own commercial gain, and that Respondent has no rights or legitimate interests in the registration and use of the Domain Name other than trademark infringement. Further, Complainant contends that Respondent has acted in bad faith in acquiring and setting up the Domain Name, when Respondent clearly knew of Complainant's rights.

B. Respondent

Respondent indicated that he obtained the Domain Name on February 26, 2025, and that he had never heard of or used any services from Trivago. Upon learning about the Complaint, Respondent indicated that he had conducted a Chinese trademark search but did not find the TRIVAGO trademark. Respondent also noted that when he had not yet participated in the auction for the Domain Name, he had accessed the Domain Name, which redirected to a sale page as noted by Complainant, including the price and rent.

He noted he did not register or use the Domain Name with malicious intent, but for learning purposes; that the Domain Name had been on sale as early as August 23, 2024, and that it was Complainant's responsibility to have pursued acquisition of the Domain Name before the prior owner had put the Domain Name up for sale. Since Complainant had failed to do so, and reacted only after Respondent had purchased the Domain Name, the responsibility should not be shifted to Respondent.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name was registered and is being used in bad faith.

Section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

A. Identical or Confusingly Similar

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See [WIPO Overview 3.0](#), section 1.2.1. Complainant has provided evidence of its rights in the TRIVAGO trademarks, as noted above under section 4. Complainant has also submitted evidence which supports that the TRIVAGO trademarks are widely known and a distinctive identifier of Complainant's products and services.

Complainant has therefore proven that it has the requisite rights in the TRIVAGO trademarks. With Complainant's rights in the TRIVAGO trademarks established, the remaining question under the first element of the Policy is whether the Domain Name, typically disregarding the Top-Level Domain ("TLD") in which it is registered (in this case is, ".ai"), is identical or confusingly similar to Complainant's trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Name is identical to Complainant's TRIVAGO trademarks.

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its TRIVAGO trademarks, and does not have any rights or legitimate interests in the Domain Name. In addition, Complainant asserts that Respondent is not an authorized reseller and is not related to Complainant. Respondent is also not known to be associated with the TRIVAGO trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Name. The term “Trivago” has no dictionary meaning, it was first registered by the Complainant’s predecessor in 2006, and its trademark was in use for 16 years before the Domain Name was originally registered in 2022.

In addition, Respondent has not used the Domain Name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, at the time of the filing of the Complaint, the Domain Name redirected a webpage that offered the Domain Name for sale at USD 13,911 or alternatively, for rent at USD 301.41. The website also featured an option for making an offer. At the time of the Decision, the Domain Name reverted to an error or inactive page.

Such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use and cannot under the circumstances confer on Respondent any rights or legitimate interests in the Domain Name. See, e.g., *Intesa Sanpaolo S.p.A. v. Charles Duke / Oneandone Private Registration*, WIPO Case No. [D2013-0875](#).

Moreover, the nature of the Domain Name, which is identical to Complainant’s trademark, is misleading and carries a high risk of implied affiliation. See [WIPO Overview 3.0](#), section 2.5.1.

Accordingly, Complainant has provided evidence supporting its prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Name. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Name, reinforcing the notion that Respondent was not using the Domain Name in connection with a bona fide offering.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Name, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent’s actions indicate that Respondent registered and is using the Domain Name in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location."

The Panel finds that Complainant has provided ample evidence to show that registration and use of the TRIVAGO trademarks long predate the registration of the Domain Name. In particular, Complainant's International trademark registration no. 910828 for the TRIVAGO word mark, registered on August 18, 2006, also designated China, where Respondent is located, among various other jurisdictions. Complainant is also well established and known. Indeed, the record shows that Complainant's TRIVAGO trademarks and related products and services are widely known and recognized. Based on the worldwide reputation of the Complainant's mark it is highly unlikely that the Respondent was not aware of it. The Complainant operates under the TRIVAGO mark since 2006, starting in Germany and building a worldwide operating platform throughout the years, and currently operates in 190 countries with 54 websites worldwide. The Complainant further conducts worldwide advertising campaigns including television commercials, and invests considerable amount of money in marketing worldwide. It is not conceivable any plausible situation where the Respondent was unaware of the Complainant and its trademark.

Therefore, Respondent was aware of the TRIVAGO trademarks when it registered the Domain Name, knew, or should have known that the Domain Name was confusingly similar to Complainant's trademarks. See [WIPO Overview 3.0](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

The Panel therefore finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Further, the registration of the Domain Name incorporating Complainant's TRIVAGO trademark in its entirety suggests Respondent's actual knowledge of Complainant's rights in the TRIVAGO trademarks at the time of registration of the Domain Name and its effort to opportunistically capitalize on the registration and use of the Domain Name.

Moreover, at the time of filing of the Complaint, the Domain Name was offered for sale at USD 13,911 or alternatively, for rent at USD 301.41. The website also featured an option for making an offer. The Panel considers that the price indicated for the Domain Name, likely in excess of out-of-pocket costs, derives from its significance in connection with the TRIVAGO trademark.

In addition, particular circumstances panels may take into account in assessing whether the respondent's registration of a domain name is in bad faith include: (iii) the content of any website to which the domain name directs, including any changes in such content and the timing thereof... (vi) a clear absence of rights or legitimate interests coupled with no credible explanation for the respondent's choice of the domain name, or (vii) other indicia generally suggesting that the respondent had somehow targeted the complainant. See [WIPO Overview 3.0](#), section 3.2.1.

It is the responsibility of the registrant to conduct any search before, and not after, the registration of a Domain Name, as well as its content, and certainly not after the filing of a complaint. In this case,

Respondent admitted that he had accessed the Domain Name before acquiring it, and was aware of that the Domain Name resolved to a webpage that offered the Domain Name for sale. Respondent also noted that his purpose for holding the Domain Name was for personal learning of AI usage. However, there was no evidence of any such preparation or usage.

At the time of the Decision, the Domain Name resolved to an error or inactive page. Such use does not prevent a finding of bad faith. See [WIPO Overview 3.0](#), section 3.3.

Accordingly, upon considering the totality of the circumstances, the Panel finds that Respondent registered and is using the Domain Name in bad faith and Complainant succeeds under the third element of paragraph 4(a) 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 Domain Name <trivago.ai> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: May 14, 2025