

## **ADMINISTRATIVE PANEL DECISION**

Ritz Enterprise SA v. Yuran  
Case No. DCO2025-0018

### **1. The Parties**

The Complainant is Ritz Enterprise SA, Switzerland, represented by Thomsen Trampedach GmbH, Denmark.

The Respondent is Yuran, China.

### **2. The Domain Name and Registrar**

The disputed domain name <ritzparis.co> is registered with Sav.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 25, 2025. On February 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 25, 2025, 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 February 26, 2025, 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 March 3, 2025.

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 March 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 27, 2025.

The Center appointed Benoit Van Asbroeck as the sole panelist in this matter on April 3, 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**

The Complainant is a hotel chain and the owner of the Ritz Paris hotel, which has been operational for more than 125 years. The Complainant owns registered trademarks in RITZ PARIS, among which are:

French Trademark No. 1283126 for RITZ PARIS (fig.), registered on September 3, 1984, in International Classes 42, 43, and 44;

International Trademark No. 807038A for RITZ PARIS, registered on April 17, 2003, in International Classes 24 and 26, designating China;

International Trademark No. 1278449 for RITZ PARIS, registered on October 16, 2015, in International Class 3, designating Colombia, Estonia, Finland, Indonesia, Ireland, Japan, Lithuania, Norway, Bulgaria, Czech Republic, Croatia, Italy, Latvia, Russian Federation, Slovenia, Slovakia, and Viet Nam;

In addition, the Complainant owns domain names containing the RITZ PARIS mark, including <ritzparis.fr>, <ritzparis.asia>, <ritz-paris.asia>, and <ritz-paris.cn>.

The disputed domain name was registered on July 24, 2024, well after the Complainant secured rights in the marks. The disputed domain name currently resolves to a parking page where it is offered for sale for an amount of USD 1,450.

#### **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.

With respect to the first element, the Complainant contends that it has rights in the mark RITZ PARIS and that the disputed domain name is identical to this mark, save for the ".co" element which corresponds to the Colombian country code Top-Level Domain ("ccTLD") ".co".

Regarding the second element, the Complainant claims that the Respondent lacks rights or legitimate interests in the disputed domain name. The Complainant notes that, to their knowledge, the Respondent is not commonly known by the disputed domain name, and they are not using or making preparations to use the disputed domain name for any noncommercial legitimate or fair use, nor for a bona fide offering of goods or services. The Complainant points out that, since its registration, the disputed domain name has been offered for sale for an amount of USD 1,450. Moreover, the Complainant confirms that they neither granted permission, authorization, nor consent to the Respondent to use the RITZ PARIS trademarks or to register a domain name containing the trademarks in any form whatsoever. Finally, the Complainant contends that the Respondent does not have any rights in the disputed domain name.

With respect to the third element, the Complainant claims that the Respondent has used the disputed domain name exclusively to offer it for sale for a sum of USD 1,450 which, the Complainant contends, is far greater than, and disproportionate to, the direct costs the Respondent has paid in registering and maintaining this ".co" domain. In addition, the Complainant notes that the Respondent engaged in a pattern of such conduct, since it was involved in at least three other cases decided under the Policy regarding trademark-

abusive domain name registrations which involved “.co” domain names (*PAI Partners v. Yuran*, WIPO Case No. [DCO2024-0091](#), *BIOFARMA v. Yuran*, WIPO Case No. [DCO2024-0066](#), and *Teva Pharmaceutical Industries Ltd v. Yuran*, WIPO Case No. [DCO2024-0074](#)). In each case, a finding of registration and use in bad faith was made against the Respondent.

Secondly, the Complainant contends that the fact that the Respondent is an unaffiliated entity and that it registered the disputed domain name, which is confusingly similar to the Complainant’s well-known RITZ PARIS trademark, is another indicator of bad faith registration and use. Thirdly, the Complainant points out that the official website of the Ritz Paris is <ritzparis.com> and that it is therefore likely that the Respondent chose the Colombian ccTLD to exploit its similarity to the generic Top-Level Domain (“gTLD”) “.com”, which, again, indicates bad faith. In addition, the Complainant notes that the Respondent should also have known about the Complainant’s rights in the RITZ PARIS trademark since a simple online search would have revealed them. Finally, the Complainant asserts that the passive holding doctrine applies here since any future good faith use of the disputed domain name is implausible and not substantiated by the Respondent. Given the identity with the RITZ PARIS trademark and the near identity with the Complainant’s hotel official website at the <ritzparis.com> domain name, any potential future use of the disputed domain name would necessarily be viewed as an attempt to attract Internet users to a website or other online location for commercial gain, or to deceive the public by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website or location, or of a product or service on the Respondent’s website or location.

## **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 Selected UDRP Questions, Third Edition, (“[WIPO Overview 3.0](#)”), section 1.7.

The Complainant has shown rights in respect of the RITZ PARIS mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. It should be noted that one of the RITZ PARIS trademarks which the Complainant relies on is figurative, however this can also be taken into account to show “rights in a mark” since the dominant elements of this trademark are the words “Ritz Paris”. It is a consensus view of UDRP panels, with which the Panel agrees, that trademark registrations with design elements can prima facie satisfy the requirement that a complainant shows “rights in a mark” so long as the textual elements are not overtaken. [WIPO Overview 3.0](#), section 1.10.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Finally, as for the applicable ccTLD “.co”, the Panel holds that this can be disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), 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 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 3.0](#), 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 that the Respondent does not use, or has not made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of services and neither makes a legitimate noncommercial or fair use of the disputed domain name. The overall facts and circumstances of the case do not show a bona fide offering of services or legitimate noncommercial or fair use either. Since its registration, the disputed domain name has resolved to a parking page on which the disputed domain is offered for sale for a price exceeding its likely out-of-pocket costs. Furthermore, there is a high risk of implied affiliation here since the disputed domain name is identical to the Complainant’s RITZ PARIS trademark.

In addition, the Complainant confirmed that the Respondent is not affiliated with the Complainant in any way, nor has the Complainant licensed, authorized, or permitted the Respondent to register domain names incorporating the Complainant’s trademarks. The Panel has taken note of the Complainant’s confirmation in this regard and has not seen any evidence that would suggest the contrary. In the absence of any license or permission from the Complainant to use its trademarks, no actual or contemplated bona fide or legitimate use of the disputed domain name could reasonably be claimed (see, e.g., *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#); and *LEGO Juris A/S v. DomainPark Ltd, David Smith, Above.com Domain Privacy, Transure Enterprise Ltd, Host master*, WIPO Case No. [D2010-0138](#)).

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 Respondent offers the disputed domain name for sale for an amount of USD 1,450, which likely exceeds the Respondent’s out-of-pocket expenses. This indicates that the registration of the disputed domain name was made in bad faith (paragraph 4(b)(i) of the Policy).

Furthermore, the Complainant has registered the disputed domain name in order to prevent the Complainant, the owner of the RITZ PARIS trademark, from reflecting the mark in a corresponding domain name (paragraph 4(b)(ii) of the Policy). The Complainant has demonstrated that the Respondent engaged in a pattern of such conduct since it was involved in at least three other cases decided under the Policy regarding trademark-abusive domain name registrations which involved “.co” domain names (*PAI Partners v. Yuran*, WIPO Case No. [DCO2024-0091](#), *BIOFARMA v. Yuran*, WIPO Case No. [DCO2024-0066](#), and *Teva Pharmaceutical Industries Ltd v. Yuran*, WIPO Case No. [DCO2024-0074](#)). In each case, a finding of registration and use in bad faith was made against the Respondent.

In addition, the fact that the disputed domain name is identical to the Complainant's RITZ PARIS trademark further evidences an intent to deceive others into believing the Respondent is the Complainant. It is clear that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location. This is another strong indicator of bad faith (paragraph 4(b)(iv) of the Policy).

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 also be deemed relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The Panel believes that the Respondent knew or, at least, should have known at the time of registration that the disputed domain name included the Complainant's RITZ PARIS trademark. This is another indicator of bad faith (see [WIPO Overview 3.0](#), section 3.2.2). As demonstrated by the Complainant, the RITZ PARIS trademarks were registered many years before the registration of the disputed domain name in several countries including China, the country of residence of the Respondent according to the WhoIs records.

Finally, Panels have found that the non-use of a domain name (including a parking page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's RITZ PARIS trademark as well as 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.

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 <ritzparis.co> be transferred to the Complainant.

*/Benoit Van Asbroeck/*

**Benoit Van Asbroeck**

Sole Panelist

Date: April 17, 2025