

## **ADMINISTRATIVE PANEL DECISION**

American Airlines, Inc. v. Domain Privacy/Milen Radumilo  
Case No. D2024-2190

### **1. The Parties**

The Complainant is American Airlines, Inc., United States of America (“United States”), represented by Greenberg Traurig, LLP, United States.

The Respondent is Domain Privacy/Milen Radumilo, Cyprus.

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

The disputed domain name <americanairlinesco-op.com> is registered with DomainSails.net LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 28, 2024. On May 30, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 31, 2024, 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 (PERFECT PRIVACY, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 5, 2024, 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 10, 2024.

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 11, 2024. In accordance with the Rules, paragraph 5, the due date for Response was July 1, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 2, 2024.

The Center appointed Andrea Cappai as the sole panelist in this matter on July 12, 2024. 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 the world's largest air carrier, serving over 360 destinations in nearly 50 countries with approximately 7,000 daily flights. With a history spanning over 90 years, the Complainant holds trademark registrations for "AMERICAN AIRLINES" and various iterations of the mark, with and without design, in more than 75 countries. Key registrations include:

- European Union Registration No. 017193855 for "AMERICAN AIRLINES", registered on July 26, 2019;
- European Union Registration No. 000153726 for "AMERICAN AIRLINES", registered on March 29, 1999; and
- United States Registration No. 4939082 for "AMERICAN AIRLINES", registered on April 19, 2016.

Previous panels have acknowledged that the "AMERICAN AIRLINES" trademark is well-known.

The Complainant has submitted extensive listings of marks registered in various jurisdictions globally.

Since 1998, American Airlines has operated a comprehensive website under the domain name <americanairlines.com>. It also owns and operates the domain names <aa.com> and <americanairlines.com> (redirects to <aa.com>), hosting the primary website. This website provides general information about American Airlines, allowing customers to book travel, manage reservations, check flight status, and access a dedicated job portal.

The disputed domain name, <americanairlinesco-op.com>, registered on April 18, 2024, is currently used to host a parking page with pay-per-click (PPC) links.

#### **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 it has satisfied all the requirements under the Policy for transferring the disputed domain name, citing prior and exclusive rights to the AMERICAN AIRLINES trademark. It argues that the disputed domain name is confusingly similar to its AMERICAN AIRLINES mark, differing only by adding "co-op." The Complainant maintains that the Respondent is not commonly known by the disputed domain name, has not used or prepared to use it for a bona fide offering of goods or services, and lacks authorisation from the Complainant to register or use it. Furthermore, the Complainant alleges bad faith by the Respondent, as the disputed domain name redirects traffic to competing websites to generate advertising revenue, incorporates the well-known AMERICAN AIRLINES mark – suggesting awareness of the Complainant's rights – and has been listed for sale, further indicating bad faith.

##### **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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), section 1.7.

Although the addition of other terms "co-op" 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 3.0](#), section 1.8.

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 recognised 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 Complainant asserts no affiliation or authorisation with the Respondent, who reportedly lacks rights to use or register the Complainant's trademark as domain names. The disputed domain name incorporates the Complainant's trademark, adding the abbreviation "co-op" – commonly linked to Cooperative Education Program ("Co-Op Jobs") offering opportunities for students. The disputed domain name's composition not only implies a misleading connection but also demonstrates the Respondent's intention to unfairly capitalise on this similarity, thereby precluding any rights or legitimate interests in the disputed domain name.

Currently and at the time of filing the Complaint, the disputed domain name hosts a parked page featuring PPC links. Using a domain name to host a parked page with PPC links does not constitute a bona fide offering when such links compete with or capitalise on the reputation and goodwill of the Complainant's mark or mislead Internet users. [WIPO Overview 3.0](#), section 2.9.

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 given the Complainant's significant global operations in civil aviation associated with its trademark, its long-standing and consistent use, and its social media presence, it is reasonable to infer that the Respondent was aware of the Complainant's trademark rights when registering the disputed domain name.

Previous UDRP panels have consistently determined that registering a domain name identical or confusingly similar to a well-known trademark by an unrelated party typically indicates bad faith, as outlined in [WIPO Overview 3.0](#), section 3.1.4. The Respondent has failed to provide any evidence of legitimate or intended use of the disputed domain name in good faith. Instead, the disputed domain name resolves to a webpage displaying PPC links related to the Complainant's industry, potentially misleading Internet users. The use of the Complainant's well-known trademark, combined with this activity, suggests an intent to exploit the Complainant for economic gain, both indirectly through PPC advertising revenue and directly by offering the disputed domain name for sale on a domain name sales platform. It is also pertinent to note that the Complainant offers positions within a Cooperative Education Program, and the Complainant's recruitment process is accessible on its website. This fact strengthens the belief that the Respondent appears to be targeting the Complainant.

Moreover, this case appears to be part of a pattern of prior bad-faith registrations of domain names incorporating well-known trademarks in which the Respondent has no rights or legitimate interests. Notably, there have been multiple panel decisions against the Respondent concerning the Complainant's marks.

Collectively, these factors support a finding that the disputed domain name was registered and used in bad faith pursuant to 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 be 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 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 <americanairlinesco-op.com> be transferred to the Complainant.

*/Andrea Cappai/*

**Andrea Cappai**

Sole Panelist

Date: July 26, 2024