

ADMINISTRATIVE PANEL DECISION

The International Olympic Committee (IOC) v. Domain Admin, TicketMarket FZCO

Case No. D2024-2368

1. The Parties

The Complainant is The International Olympic Committee (IOC), Switzerland, represented by Bird & Bird (Belgium) LLP, Belgium.

The Respondent is Domain Admin, TicketMarket FZCO, United Arab Emirates, self-represented.

2. The Domain Name and Registrar

The disputed domain name <paris24tickets.com> is registered with DomainContext, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 11, 2024. On June 11, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 13, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 14, 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 17, 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 17, 2024. In accordance with the Rules, paragraph 5, the due date for Response initially was July 7, 2024. The Respondent did not submit any formal response but sent an email communication to the Center on July 6, 2024, requesting an extension to the response due date. Accordingly, the Center extended the response due date to June 11, 2024 as per paragraph 5(b) of the Rules. In the end, no formal Response was submitted.

The Center appointed Ganna Prokhorova as the sole panelist in this matter on July 23, 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 an international, non-governmental organization, registered under the laws of Switzerland that has supervised the organization of the Olympic Games since 1896.

The Complainant is the owner of numerous word and combined marks in PARIS 2024, including but not limited to:

- International (device) trademark PARIS 2024 with registration no. 1327476, registered on March 3, 2016, in International Classes 1, 3, 4, 5, 7, 9, 11, 12, 14, 16, 18, 25, 28, 29, 30, 32, 35, 36, 37, 38, 39, 41, 42, and 43;
- International (word) trademark PARIS 2024 with registration no. 1445058, registered on March 9, 2018, in International Classes 1, 3, 9, 12, 14, 25, 29, 32, 35, 36, 38, 41, 42, and 43;
- International (device) trademark PARIS 2024 with registration no. 1527944, registered on December 5, 2019, in International Classes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45.

The Complainant holds its official website under the domain name <olympics.com>, registered on March 6, 1995.

The disputed domain name was registered on March 12, 2024. The website to which the disputed domain name resolves mentions that it is operated by "TICKETMARKET FZCO, IFZA Business Park, DDP, Dubai – United Arab Emirates".

The disputed domain name resolves to a website which claims to be a resale platform for tickets to the Paris 2024 Games. In the "About Us" section of the website it is mentioned that "Paris24 is the only marketplace that offering tickets that coming from authorized reseller by Paris24". There is the use of the PARIS 2024 and THE OLYMPICS designations as well as the use of photographs of past Olympic Games on the website. The homepage of the website is titled "Paris 2024 Olympics tickets", each of the tickets offered for sale are tagged "Olympic Games Paris 2024" and each of the pages of the website have a title tag including "Paris 2024" or "Paris Olympics 2024". The website under the disputed domain name does not contain any disclaimer about its (lack of) affiliation with the Complainant.

On May 23, 2024, the Complainant issued a cease-and-desist letter to the Respondent. No response was received.

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:

- (1) The disputed domain name is confusingly similar to the Complainant's trademark. The PARIS 2024 trademarks are easily recognizable in the disputed domain name. The term "Paris24" used in the disputed domain name is visually and phonetically similar to PARIS 2024. The addition of the other term "tickets" in the disputed domain name does not prevent a finding of confusing similarity between the Complainant's PARIS 2024 trademarks and the disputed domain name. The extension ".com" is not to be taken into consideration as it is viewed as a standard registration requirement.
- (2) The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is neither affiliated with the Complainant in any way nor has the Complainant licensed, authorized or permitted the Respondent to use and register, or to seek registration of any domain name or trademark incorporating their PARIS 2024 trademarks. The disputed domain name is used for illegal activity. The Respondent has not commonly been known by that name, and is making neither bona fide commercial use nor legitimate noncommercial or fair use of the disputed domain name.
- (3) The disputed domain name was registered and is being used in bad faith. The Complainant's PARIS 2024 trademark is so well known that it is inconceivable that the Respondent could have registered it without knowledge of that trademark. Given the reputation and popularity of the Complainant, the Olympics, and in particular the upcoming Paris 2024 Games, it would defy common sense for the Respondent to argue that it was not aware that it was registering a domain name incorporating the PARIS 2024 trademarks. The Respondent uses the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's PARIS 2024 trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and of the service offered on the Respondent's website.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent did not submit any formal response to the Complainant's contentions. On June 11, 2024, the Center received an informal email communication from an email address used on the website at the disputed domain name, stating "we received Complaint relating to the [disputed] domain name. Of course we are not agree with the complaint, and all wrote there is unacceptable. We asking to reject this complaint due to not relevant issues presented in this complaint."

In addition, as laid out under the Section 3 above, the Respondent sent an email communication to the Center on July 6, 2024, requesting an extension to the response due date. However, no substantive Response was submitted.

6. Discussion and Findings

To succeed, in a UDRP complaint, a complainant must demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, as following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (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 are being used in bad faith.

The Respondent had ample time to submit a response in accordance with paragraphs 5(a) and (b) of the Rules and failed to do so. Paragraph 5(f) of the Rules establishes that if a respondent does not respond to the Complaint, the Panel's decision shall be based upon the Complaint. The Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant's contentions.

However, concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in the Complaint as true. See, section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

It is further noted that the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistent with the consensus views captured therein.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the trademark PARIS 2024 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Conducting a side-by-side comparison between the Complainant's PARIS 2024 trademarks and the disputed domain name, the PARIS 2024 trademark is easily recognizable in the disputed domain name. The term "Paris24" used in the disputed domain name is highly similar to PARIS 2024. Conceptually, the term "Paris24" is the same as the PARIS 2024 trademarks since years are commonly written without the century part, here the number "20". In those circumstances, where the dominant part of the trademark is easily recognizable within the domain name, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's mark. See [WIPO Overview 3.0](#), section 1.7. In addition, merely adding the term "tickets" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's mark under the Policy, paragraph 4(a)(i). See [WIPO Overview 3.0](#), section 1.8.

While panels generally disregard the content of a website associated with a domain name when assessing confusing similarity under the first element, as this content is typically evaluated in conjunction with the second and third elements, there are instances where WIPO panels have considered website content to confirm confusing similarity. This is particularly relevant when it appears prima facie that the respondent is targeting a trademark through the disputed domain name. See [WIPO Overview 3.0](#), section 1.15.

In this case, the homepage of the website to which the disputed domain name resolves is titled "Paris 2024 Olympics Tickets". Each ticket offered for sale is labeled "Olympic Games Paris 2024", and every page on the website has a title tag that includes "Paris 2024" or "Paris Olympics 2024". This clearly indicates that the Respondent had the PARIS 2024 trademarks in mind when registering the disputed domain name. It also suggests an intention on the part of the Respondent to mislead users seeking to purchase tickets to the Paris 2024 Games. These facts and circumstances further support a finding of confusing similarity. See [WIPO Overview 3.0](#), sections 1.7 and 1.15.

Therefore, the Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark PARIS 2024.

Accordingly, 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.

The Panel notes that the Respondent has no trademark rights related to the disputed domain name. The Panel also has not found evidence that the Respondent has been commonly known by the disputed domain name.

The Complainant has not licensed, authorized, or permitted the Respondent to register the disputed domain name incorporating the Complainant’s mark. The Panel also takes into account that the Respondent is not sponsored by or legitimately affiliated with the Complainant in any way.

The disputed domain name resolves to a website which claims to be a resale platform for tickets to the Paris 2024 Games. By mentioning in the “About Us” section of the website that “Paris24 is the only marketplace that offering tickets that coming from authorized reseller by Paris24 (here after, the “Paris24 authorized resellers program”), the Respondent implies that it is an authorized reseller of tickets to the Paris 2024 Games or is otherwise authorized by the Complainant to (re)sell such tickets, which is not true. This false impression is further reinforced by the use of the PARIS 2024 and THE OLYMPICS trademarks as well as the inclusion of many official photographs of past Olympic Games in which the Complainant owns copyright. The website does not contain any disclaimer that they are not affiliated to the Complainant. Use of the disputed domain name by the Respondent can therefore not be considered fair or legitimate. See [WIPO Overview 3.0](#), section 2.5. Furthermore, the Panel notes that the composition of the disputed domain name carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

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.

Considering the above, 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 could not have registered the disputed domain name without knowledge of the Complainant’s trademark. The PARIS 2024 trademarks have been, and continue to be, widely used to promote the Paris 2024 Games since, at least, their respective registration dates. Furthermore, as has also been confirmed by prior WIPO panels, it is very well known that editions of the Olympic Games are consistently identified by “Host City & Year” and that the Complainant and the relevant Organizing Committee of the Olympic Games own trademarks in the “Host City + Year” identifiers of

each of the Olympic Games. Moreover, it has been established that such trademarks are distinctive, highly publicized and have a global reputation. See *International Olympic Committee and Tokyo Organising Committee of the Olympic and Paralympic Games v. Contact Privacy Inc. Customer 1246395316 / Daniel O'Hare*, WIPO Case No. [D2020-0808](#); *International Olympic Committee (IOC), Brisbane 2032 Olympic and Paralympic Games Organising Committee, Australian Olympic Committee Inc. v. 小龙刘*, WIPO Case No. [D2024-0121](#).

It is therefore clear that the Respondent uses the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's PARIS 2024 trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and of the service offered on the Respondent's website under paragraph 4(b) of the Policy.

As detailed in the second element, the disputed domain name is not only registered, but also used for unauthorized activity; there is also evidence presented by the Complainant that the Respondent has been associated with other ticket sale sites that have defrauded users. Prior panels have held that use of a domain name for such activity can never confer rights or legitimate interests on a respondent and such behavior is manifestly considered evidence of bad faith (see [WIPO Overview 3.0](#), Sections 3.1.4 and 3.4).

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <paris24tickets.com> be transferred to the Complainant.

/Ganna Prokhorova/

Ganna Prokhorova

Sole Panelist

Date: July 26, 2024