

ADMINISTRATIVE PANEL DECISION

Amadeus IT Group, S.A. v. Deronne Wilson

Case No. D2024-3039

1. The Parties

The Complainant is Amadeus IT Group, S.A., Spain, represented by Ubilibet, Spain.

The Respondent is Deronne Wilson, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <amadeus-ndc.com> is registered with Name.com, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 25, 2024. On July 25, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 29, 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, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 30, 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 July 31, 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 August 2, 2024. In accordance with the Rules, paragraph 5, the due date for Response was August 22, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 27, 2024.

The Center appointed Alvaro Loureiro Oliveira as the sole panelist in this matter on September 3, 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 Amadeus IT Group, S.A., a technological company dedicated exclusively to the global travel sector. The Complainant was founded in 1987 in Spain and, nowadays, it operates in 190 markets, with a worldwide team of over 15,000 people.

The Complainant is a leading provider of technology solutions and services for the entire travel ecosystem: airlines, airports and ground handlers, car rental agencies, corporations, cruise and ferry operators, hotels and event venues, insurance providers, travel sellers, tourism boards, travelers themselves, and more. It is a truly global enterprise, made up of over 15,000 professionals serving in more than 190 countries, with offices across all continents.

The Complainant owns an extensive list of trademark registrations for AMADEUS, as stated in the Complaint. Among these, it is relevant to this decision to mention:

- United States of America Trademark No. 1529969, registration date March 14, 1989,
- European Union Trademark No. 002069375, registration date August 29, 2005, and
- European Union Trademark No. 1321806, registration date June 22, 2016.

The disputed domain name was registered on April 17, 2024, and is currently inactive, but has been used in connection with a phishing e-mail scheme, scamming the Complainant, impersonating a company member, with the Complainant's trademark and logo reproduced in the emails and signing off as "Amadeus Team".

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for the transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the Complainant's mark registered and used worldwide.

The Complainant alleges that the Respondent does not have rights or legitimate interests in the disputed domain name.

The Complainant contends that the disputed domain name was registered and is being used in bad faith.

The Complainant alleges that the Respondent is using the disputed domain name in connection with a fraudulent phishing scheme designed to lure consumers into believing that they are dealing with the Complainant.

Hence the Complainant concludes that the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

The Policy, in its paragraph 4(a), determines that three elements must be presented and duly proven by a Complainant to obtain relief. These elements are:

- (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 to the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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 contends that it has satisfied each of the elements required under the Policy for the transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the AMADEUS trademark, as it is entirely incorporated in the disputed domain name.

The Complainant has presented consistent evidence of ownership of the trademark AMADEUS in jurisdictions throughout the world, by presenting an extensive list of trademark registrations for it, as well as comprehensive evidence of the use of the trademark.

The use of the trademark AMADEUS with the acronym "ndc" in the disputed domain name does not prevent a finding of confusing similarity with the trademark. This acronym stands for "New Distribution Capability", a standard developed by the International Air Transport Association (IATA) to enhance airline distribution and sales processes – that is, an acronym that has direct relation to the services rendered by the Complainant, reinforcing the apparent proximity with the Complainant.

In any event, where the relevant trademark is recognizable within the disputed domain name, the addition of other terms would not prevent a finding of confusing similarity under the first element. See [WIPO Overview 3.0](#), section 1.8.

Given the above, the Panel concludes that the disputed domain name is confusingly similar to the registered trademark of the Complainant.

B. Rights or Legitimate Interests

Given the clear evidence that the trademark AMADEUS is registered in the Complainant's name worldwide; considering that this trademark is widely known as identifying the Complainant's activities, and that the Complainant has not licensed this to the Respondent, the Panel finds that the Complainant has established a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name.

In the absence of a Response, the Respondent has not rebutted such prima facie case. Furthermore, there is no evidence indicating that the Respondent is commonly known by the disputed domain name.

Furthermore, the fact that the disputed domain name consists of the Complainant's trademark along with the acronym "ndc" carries a risk of implied affiliation, potentially conveying to unsuspecting Internet users the false belief that any website related thereto would be associated or endorsed with the Complainant's official products and services. See [WIPO Overview 3.0](#), section 2.5.1.

The Respondent is not using the disputed domain name for a bona fide offering of goods or services, nor for a legitimate noncommercial or fair use of the disputed domain name.

In addition, evidence provided as Annex 7 to the Complaint shows that the Respondent has used the disputed domain name for phishing, directing a massive email campaign at the Complainant's clients and stakeholders, requesting updates to invoicing data.

The Panel, thus, finds for the Complainant under the second element of the Policy.

C. Registered and Used in Bad Faith

Given the circumstances of this case, the facts outlined in sections A and B above can also evidence the Respondent's bad faith in the registration and use of the disputed domain name.

The Respondent intended to give an overall impression that the disputed domain name is associated with the Complainant, and the Panel accepts that the disputed domain name is likely intended to capitalize on the fame and goodwill of the Complainant's trademark. Besides, the disputed domain name reproduces the Complainant's mark AMADEUS with the addition of the acronym "ndc".

The composition of the disputed domain name points towards the Respondent's likely intent to give an impression that the disputed domain name is associated with the Complainant or to confuse Internet users. In the absence of any reasonable explanation for the selection of the disputed domain name by the Respondent, and in the circumstances of this case, the Panel finds that the disputed domain name has been registered to take advantage of the value of the trademark owned by the Complainant.

According to the evidence provided in Annex 7 to the Complaint, and unrefuted by the Respondent, prior to the present proceeding the disputed domain name was used in connection with a phishing scheme, directing a massive email campaign at the Complainant's clients and stakeholders, requesting updates to invoicing data. This message was scamming the Complainant, impersonating a company member, with the Complainant's trademark and logo reproduced in the emails and signing off as "Amadeus Team". Former UDRP Panels have held that the use of a domain name for illegal activity such as phishing and impersonation/passing off, and other types of fraud, constitutes bad faith. See [WIPO Overview 3.0](#), section 3.4.

Paragraph 4(b)(iv) of the Policy provides that the use of a domain name to intentionally attempt "to attract, for commercial gain, Internet users to [the respondent's] 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 [the respondent's] website or location or of a product or service on [the respondent's] website or location" is evidence of registration and use in bad faith.

Here, the Panel notes the distinctive and well-known nature of the Complainant's trademark AMADEUS and the failure of the Respondent to submit a Response, support a finding of bad faith.

In the totality of the circumstances, the Panel finds the Respondent has registered and is using the disputed domain name in bad faith.

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 <amadeus-ndc.com> be transferred to the Complainant.

/Alvaro Loureiro Oliveira/

Alvaro Loureiro Oliveira

Sole Panelist

Date: September 17, 2024