

## **ADMINISTRATIVE PANEL DECISION**

**Qatar Airways Group (Q.C.S.C.) v. Domain Administrator,  
Fundacion Privacy Services LTD  
Case No. D2024-4212**

### **1. The Parties**

The Complainant is Qatar Airways Group (Q.C.S.C.), Qatar, represented by 101domain.com, United States of America (“United States”).

The Respondent is Domain Administrator, Fundacion Privacy Services LTD, Panama.

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

The disputed domain names <qataairways.com>, <qatairways.com>, <qatarairwys.com>, <qatarariways.com>, <qatariarways.com>, <qatarirways.com>, <qaterairways.com>, and <qatqrairways.com> are registered with Media Elite Holdings Limited (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 12, 2024. On October 14, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On October 21, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Information not available in Whois) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 24, 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 October 29, 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 October 30, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 19, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 20, 2024.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on November 22, 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 operates in the travel and airline industry since 1994. The Complainant owns trademark registrations for QATAR AIRWAYS such as:

- Jordanian trademark registration No. 59652, registered on January 8, 2001; and
- Australian trademark registration No. 1037862, registered on January 14, 2005.

The Complainant's primary website is at the domain name <qatarairways.com>, which was registered on May 22, 1997.

The disputed domain names were registered on the following dates, and they resolve to the Complainant's website:

- <qataairways.com> registered on March 8, 2005;
- <qatairways.com> registered on April 15, 2006;
- <qatarairwys.com> registered on January 18, 2005;
- <qatarairways.com> registered on December 7, 2004;
- <qatariarways.com> registered on January 6, 2007;
- <qatarirways.com> registered on February 14, 2005;
- <qaterairways.com> registered on March 11, 2004; and
- <qatqairways.com> registered on April 7, 2005.

#### **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 the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The disputed domain names are a typosquatting and combined with the generic Top-Level-Domain ("gTLD") ".com" increase likelihood of confusion.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names. The Respondent is not authorized by the Complainant to use its trademark. It is the Complainant's belief that the Respondent has no trademark registration for QATAR AIRWAYS. The Respondent is not commonly known by the disputed domain names. There is no legitimate noncommercial or fair use of the disputed domain names as they redirect to the Complainant's website. There is no bona fide offering of goods or services.

The Complainant contends that the disputed domain names were registered and are being used in bad faith. The disputed domain names redirect to the Complainant's website. The Respondent is preventing the Complainant from reflecting its trademark in the corresponding domain names. The Respondent is disrupting the Complainant's business operations. Customers are led to the Respondent's domain names likely for phishing and or malware purposes.

## **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 names. 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.

A typo variant of the mark (where the mark remains sufficiently recognizable) is reproduced within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.9.

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 names. 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 names such as those enumerated in the Policy or otherwise.

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 was aware of the Complainant's trademark and business as the disputed domain names redirect to the Complainant's official website.

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 by using the disputed domain names for redirection to the Complainant's official website, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark, which constitutes bad faith under paragraph 4(b)(iv) of the Policy. Moreover, the Panel notes that the Respondent has registered eight disputed domain names that are all typo squatting variants of the Complainant's mark, which indicates a pattern of targeting the Complainant and its mark, and further supports a finding of bad faith.

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 names <qataairways.com>, <qatairways.com>, <qatarairwys.com>, <qatarariways.com>, <qatariarways.com>, <qatarirways.com>, <qaterairways.com>, and <qatqairways.com> be transferred to the Complainant.

*/Nayiri Boghossian/*

**Nayiri Boghossian**

Sole Panelist

Date: November 26, 2024