

ADMINISTRATIVE PANEL DECISION

**B&B HOTELS v. Catech-dd-truest, CA tech-dd trust.LCD, dxcdx,lcd,
dxcdx,lcd, ROJUST, Oldisc.LCD**
Case No. D2024-4501

1. The Parties

The Complainant is B&B HOTELS, France, represented by Fiducial Legal by Lamy, France.

The Respondents are Catech-dd-truest, CA tech-dd trust.LCD, Canada, dxcdx,lcd, dxcdx,lcd, France and ROJUST, Oldisc.LCD, Singapore.

2. The Domain Names and Registrars

The disputed domain names <bb-hoteleonline.com>, <globalbbhotel-innovation.com>, <onlinebb-scenery.com>, <scenerybb-global.com>, <world-bbhotelonline.com> are registered with Dominet (HK) Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 4, 2024. On November 5, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On November 6, 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 (Not disclosed) and contact information in the Complaint.

The Center sent an email communication to the Complainant on November 6, 2024, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on November 8, 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 Respondents of the Complaint, and the proceedings commenced on November 11, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 1, 2024. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on December 2, 2024.

The Center appointed Evan D. Brown as the sole panelist in this matter on December 4, 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 offers services related to hotels, restaurants, temporary accommodations, and related booking services. It operates more than 860 establishments worldwide.

The Complainant owns several trademark registrations for marks composed of the elements "BB" and "HOTEL". These include the following:

- B&B HOTELS (and Design) – European Union Trademark No. 004767323 (registered December 12, 2006)
- BBHOTEL – French Trademark No. 3182311 (registered August 29, 2002)
- BB-HOTEL – French Trademark No. 3182313 (registered August 29, 2002)

According to the Whois Records, the disputed domain names were registered on the following dates:

<onlinebb-scenery.com>	September 7, 2024
<scenerybb-global.com>	September 7, 2024
<bb-hoteleonline.com>	September 15, 2024
<world-bbhotelonline.com>	September 15, 2024
<globalbbhotel-innovation.com>	September 30, 2024

The Respondents have used the disputed domain names to create websites that fraudulently display the Complainant's trademarks. The Complainant asserts that these websites are part of a pattern of bad faith behavior that includes the creation of websites that bear the Complainant's mark, and which are designed for phishing purposes by collecting information from visitors.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain names are identical or confusingly similar to the Complainant's trademarks; that the Respondents have no rights or legitimate interests in respect of the disputed domain names; and that the disputed domain names were registered and are being used in bad faith.

B. Respondents

The Respondents did not respond to the Complainant's contentions.

6. Discussion and Findings

A. Procedural Issue: Consolidation of Multiple Respondents

There are three named Respondents (five underlying registrants disclosed by the Registrar). The disputed domain names <bb-hoteleonline.com> and <world-bbhotelonline.com> are registered by the same Respondent. Similarly, the disputed domain names <onlinebb-scenery.com> and <scenerybb-global.com> are also registered by the same Respondent. The disputed domain name <globalbbhotel-innovation.com> is registered by a different Respondent. The Complainant requests that all three Respondents be consolidated into this proceeding. Consolidation is proper, so the Complainant's request for consolidation is granted.

Paragraph 10(e) of the Rules states that a “[p]anel shall decide a request by a Party to consolidate multiple domain name disputes in accordance with the Policy and these Rules”. Paragraph 10(c) of the Rules provides, in relevant part, that “the [p]anel shall ensure that the administrative proceeding takes place with due expedition”. Section 4.11.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”) summarizes the consensus view of UDRP panels on the consolidation of multiple respondents and provides that where a complaint is filed against multiple respondents, panels consider whether the domain names or corresponding websites are subject to common control, and whether the consolidation would be fair and equitable to all parties.

The record indicates that the disputed domain names are under common control. The following facts support this conclusion: all of the disputed domain names were registered with the same Registrar, all were registered within the same month (September 2024), the web pages to which the disputed domain names resolve share the same design and prominently feature the Complainant's mark, and the same email address was used to register three of the five disputed domain names.

The Respondents have not presented any arguments as to why consolidation would be unfair or inequitable. Accordingly, the conditions for proper consolidation of the disputed domain names into one matter are present here.

B. Identical or Confusingly Similar

The Complainant has provided evidence of its various trademark registrations, including registrations which predate the registration of the disputed domain name. On the basis of these registrations, the Panel is satisfied that the Complainant has rights in its marks, including the marks BBHOTEL and BB-HOTEL.

The Panel also finds that the disputed domain names are confusingly similar to the Complainant's trademarks. Three of the disputed domain names incorporate the Complainant's BBHOTEL and BB-HOTEL trademarks in their entirety. Two of the disputed domain names include the letters “bb” prefix which, can be considered the dominant portion of the Complainant's marks (either “bb” or “B&B”) for comparison purposes.

The content of the website associated with a domain name is usually disregarded by panels when assessing confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.15. In some instances, however, panels have taken note of the content of the website associated with a domain name to confirm confusing similarity whereby it appears prima facie that the respondent seeks to target a trademark through the disputed domain name. Guided by these principles, the Panel takes note of the content of the Respondent's websites – which imitates the Complainant through the use of the Complainant's mark – to confirm the confusing similarity between the disputed domain name and the Complainant's marks.

Accordingly, the Panel concludes that the Complainant has satisfied the first element under the Policy.

C. Rights or Legitimate Interests

The Panel evaluates this element of the Policy by first determining whether the Complainant has made a prima facie showing that the Respondents lack rights or legitimate interests in respect of the disputed domain

names. Once such a showing is made, the burden of production shifts to the Respondents to demonstrate rights or legitimate interests (although the overall burden of proof remains with the Complainant). See [WIPO Overview 3.0](#), section 2.1.

On this point, the Complainant asserts, among other things, that:

- The Respondents have used the disputed domain names to direct to phishing websites which were created to defraud consumers. This fraudulent pattern, which has also been confirmed by in a previous case regarding one of the Respondents in this case, demonstrates the absence of any rights or legitimate interests in the disputed domain names.
- The Respondents have not been commonly known by the disputed domain names and have not used them for any bona fide offering of goods or services. Instead, the Respondents use the disputed domain names to pretend to act as the Complainant, misleading Internet users into believing the sites are official platforms of the Complainant, which they are not.
- The Respondents have no license or authorization from the Complainant to use its trademarks, nor has the Complainant permitted the Respondents to register or use the disputed domain names.
- The Respondents' use of the disputed domain names seeks to benefit from the Complainant's brand reputation and mislead Internet users into believing they are interacting with the Complainant's legitimate websites, which is not the case.

The Complainant has made a prima facie showing that the Respondents lack rights or legitimate interests in the disputed domain names. The Respondents have not submitted a response or provided any evidence to rebut the Complainant's assertions. Further, the use of the disputed domain names for illegal and fraudulent activities, such as phishing schemes, can never confer rights or legitimate interests on the Respondents. See *Société des Produits Nestlé S.A. v. Great Homes, jobs-nestle.com*, WIPO Case No. [D2024-2911](#); [WIPO Overview 3.0](#), section 2.13.1.

Accordingly, the Panel finds that the Complainant has established this second element under the Policy.

D. Registered and Used in Bad Faith

The Policy requires a complainant to establish that the disputed domain names were registered and are being used in bad faith. The Complainant asserts that the Respondents registered and are using the disputed domain names in bad faith to intentionally target the Complainant's well-known trademarks and to carry out fraudulent activities. The Panel finds the Complainant's assertions to be well-supported.

The Panel finds that the Respondents have registered the disputed domain names, which incorporate the Complainant's trademarks, and have used them to resolve to phishing websites. These websites imitate the Complainant by displaying its mark and are designed to collect information from visitors under false pretenses. Such use demonstrates an intention to mislead Internet users into believing they are engaging with the Complainant, thereby exploiting the Complainant's brand reputation for unlawful purposes. The Respondents' bad faith is further evidenced by their registration of multiple domain names, all of which resolve to the same fraudulent website design. This pattern of conduct, coupled with the use of the disputed domain names for apparent phishing activities, demonstrates a clear and deliberate effort to target the Complainant's trademarks for illegitimate purposes.

The Respondents' knowledge of the Complainant's rights in its trademarks is evident. The disputed domain names prominently incorporate the Complainant's well-known trademarks and the associated websites display the Complainant's mark in a manner designed to create confusion. This use confirms that the Respondents deliberately sought to impersonate the Complainant, demonstrating their awareness of and intent to exploit the Complainant's rights.

In sum, the Panel finds that the Respondents' actions are designed to deceive Internet users, harm the Complainant's reputation, and likely generate financial gain through fraudulent activities. This constitutes bad faith registration and use under paragraph 4(b) of the Policy.

Accordingly, the Panel finds that the Complainant has established this third element under 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 <globalbbhotel-innovation.com>, <onlinebb-scenery.com>, <scenerybb-global.com>, <bbhoteleonline.com>, and <world-bbhotelonline.com> be transferred to the Complainant.

/Evan D. Brown/

Evan D. Brown

Sole Panelist

Date: December 6, 2024