# Decision for dispute CAC-UDRP-107414

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| Case number | CAC-UDRP-107414 |
| Time of filing | 2025-03-24 12:06:07 |
| Domain names | britannicexplorer.com |

## Case administrator

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| Organization | Iveta Špiclová (Czech Arbitration Court) (Case admin) |

## Complainant

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| Organization | Belmond Management Ltd. |

## Complainant representative

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| Organization | INSIDERS |

## Respondent

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| Organization | YesThankYou |

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant holds the following trademark registrations:

- UK trademark registration no. UK00003716484 “THE BRITANNIC EXPLORER”, filed on 1 November 2021 and registered on 11 March 2022 for various goods and services in classes 16, 28, 39, and 43; and
- international trademark registration no. 1670268 “THE BRITANNIC EXPLORER”, registered on 5 April 2022 and based on the UK trademark mentioned above, extending protection of that mark to the EU and Switzerland with the same priority date (1 November 2021) and for the same goods and services in classes 16, 28, 39, and 43.

The disputed domain name was registered on 8 November 2024, i.e., the registration dates of Complainant’s trademarks above predate the registration of the disputed domain name.

FACTUAL BACKGROUND

The Complainant advertises a new service of luxury train tours under name “THE BRITANNIC EXPLORER” which the Complainant will start in July 2025. This service was first announced in November 2024. The disputed domain name was also registered in November 2024 and has since been used for a website with information on the possibility of planning “slow travel” voyages under the name “THE BRITANNIC EXPLORER”.

PARTIES CONTENTIONS

The Complainant asserts that this website use of the disputed domain name creates a strong likelihood of confusion among the public. The Respondent is not affiliated with the Complainant in any way and was not authorized by the Complainant to use the trademark “THE BRITANNIC EXPLORER” or the disputed domain name. The Complainant further contends that the Respondent has no legitimate interest in the domain name. The Respondent is not an authorized partner of the Complainant, nor is the Respondent commonly known by the disputed domain name. The Complainant alleges that the disputed domain name has been acquired and is being used in bad faith.

The Respondent claims that he was unaware of “THE BRITANNIC EXPLORER” being a registered trademark. The Respondent further claims that the website was not used to make a profit. It was rather a “blog” with no ability to make or transact monies, but with a direct link to the Complainant’s own website offering the Complainant further visitors to its own website. The Respondent argues that his use of the disputed domain name was not detrimental and only offered factual information.

The Respondent has explicitly stated that he is happy to transfer the disputed domain to the Complainant without pursuing any kind of monetary request.

RIGHTS

Given the Respondent’s willingness to transfer the disputed domain name, it is not necessary to decide whether the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

Given the Respondent’s willingness to transfer the disputed domain name, it is not necessary to decide whether the Respondent has no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

Given the Respondent’s willingness to transfer the disputed domain name, it is not necessary to decide whether the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision. Both parties made supplementary submissions after their original Complaint and Reply. The Panel decided to give due consideration to all of these supplemental submissions as they only addressed a potential settlement and were therefore helpful in reaching an amicable resolution of the dispute.

PRINCIPAL REASONS FOR THE DECISION

The Respondent has expressly consented to a transfer of the disputed domain name to the Complainant. Based on this consent the Panel hereby orders that transfer of the disputed domain name on a no-fault basis, thereby giving effect to (i) the remedy sought by the Complainant and (ii) the Respondent’s explicit offer to transfer the disputed domain name to the Complainant (cf. Question 4.10 of the WIPO Jurisprudential Overview 3.0; Williams-Sonoma, Inc. v. EZ-Port, WIPO Case No. D2000-0207; Slumberland France v. Chadia Acohuri, WIPO Case No. D2000-0195).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **britannicexplorer.com**: Transferred

## PANELLISTS

| Name | **Dr. Thomas Schafft** |
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DATE OF PANEL DECISION 2025-04-15

Publish the Decision