Decision for dispute CAC-UDRP-108117

Case number	CAC-UDRP-108117
Time of filing	2025-11-06 10:23:25
Domain names	belmond.site

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Belmond Management Ltd.

Complainant representative

Organization	INSIDERS

Respondent

Organization	Yiwei

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 is the owner of a number of trademark registrations for BELMOND (the “BELMOND trademark”), including the following representative registrations:

− the European Union trademark BELMOND with registration No. 012293411, registered on 8 November 2014 for services in International Classes 35, 36, 39 and 43;

− the International trademark BELMOND with registration No. 1386978, registered on 23 October 2017 for services in International Classes 35, 36, 39 and 43 in multiple jurisdictions; and

− the International trademark BELMOND with registration No. 1853422, registered on 7 August 2024 for goods and services in International Classes 9 and 41 in China, the European Union and the United States of America.

FACTUAL BACKGROUND

The Complainant Belmond Management Ltd. started its operations in 1976 with the acquisition of Hotel Cipriani in Venice. It operates luxury hotels, trains, river cruises, and safari lodges in 25 countries and territories. The Complainant has been operating the Venice Simplon-Orient-Express since 1982. In 2019, the Complainant became part of the luxury group LVMH. The Complainant uses

the domain name <belmond.com> for its official website.

The disputed domain name was registered on September 22, 2025. It is currently inactive. At the time of filing of the Complaint, the disputed domain name was listed for sale on the GoDaddy platform.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant states that the disputed domain name is identical to its BELMOND trademark, because it contains the trademark in its entirety without any other elements.

The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is not commonly known by it, is not affiliated to the Complainant, and was not authorized by the Complainant to use the BELMOND trademark. The Complainant adds that the Respondent does not have any interest in exploiting the disputed domain name, because it is listed for sale.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It notes that the disputed domain name was registered on 22 September 2025, and only one month later was offered for sale for USD 1450. The Complainant submits that this shows that the disputed domain name was never registered to be operated and exploited in a legitimate way, and notes that the listed price is higher than the out-of-pocket costs directly related to the registration of the disputed domain name.

The Complainant also points out that the Respondent has already been found to have registered and used other domain names in bad faith in three recent proceedings under the Policy - Boehringer Ingelheim Vetmedica GmbH. v. Yiwei Ren, WIPO case No. D2025-0003, Financiere Oui Care v. Yiwei Ren, WIPO Case No. D2025-2369, and Virbac S.A. v. YIWEI REN, WIPO Case No. DME2025-0014.

RESPONDENT:

The Respondent did not submit a Response in this proceeding.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to the BELMOND trademark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have 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

The Complainant has, to the satisfaction of the Panel, shown 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.

PRINCIPAL REASONS FOR THE DECISION

Pursuant to the Policy, paragraph 4(a), a complainant must prove each of the following to justify the transfer of a domain name:

(i) the 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 domain name; and

(iii) the domain name was registered and is being used in bad faith.

Identical or confusingly similar

The Complainant has provided evidence and has thus established its rights in the BELMOND trademark.

The Panel notes that a common practice has emerged under the Policy to disregard in appropriate circumstances the general Top-Level Domain ("gTLD") section of domain names for the purposes of the comparison under the Policy, paragraph 4(a)(i). The Panel sees no reason not to follow the same approach here, so it will disregard the ".site" gTLD section of the disputed domain name.

The relevant part of each of the disputed domain names is therefore the sequence "belmond", which reproduces the BELMOND trademark entirely without any other elements.

In view of the above, the Panel finds that the disputed domain name is identical to the BELMOND trademark in which the Complainant has rights.

Rights and legitimate interests

While 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 often-impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, because it has not been authorized to use the Complainant's BELMOND trademark and is not commonly known under the disputed domain name. According to the Complainant, the Respondent is not actively using the disputed domain name and has only offered it for sale at a price that exceeds the out-of-pocket costs for its registration. Thus, 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 submitted a Response and has not provided an explanation of the reasons why it has registered the disputed domain name.

In the Panel's view, there is nothing in the case file to support a finding that the Respondent has rights and legitimate interests in the disputed domain name. It does not appear to be commonly known by the disputed domain name, which is identical to the BELMOND trademark and almost identical to the Complainant's primary domain name. This carries a high risk of implied affiliation with the Complainant. See section 2.5.1 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (the "WIPO Overview 3.0"). The evidence submitted by the Complainant shows that the disputed domain name has been offered for sale soon after its registration at a price that appears to exceed the usual out-of-pocket costs related to a new registration of a domain name. The above circumstances support the prima facie case made by the Complainant.

Therefore, the Panel finds that the Respondent does not have rights or legitimate interests in the disputed domain name.

Bad faith

Paragraph 4(b) of the Policy lists four illustrative alternative circumstances that shall be evidence of the registration and use of a domain name in bad faith by a respondent, namely:

"(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your 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 your website or location or of a product or service on your website or location."

The registration of the distinctive BELMOND trademark predates by 10 years the registration of the disputed domain name. It

reproduces the trademark and the relevant part of the Complainant's domain name entirely without any other elements, which carries a high risk of implied affiliation with the Complainant. The disputed domain name was offered for sale soon after its registration at a price that appears to be well in excess of the normal registration costs for a newly-registered domain name. The Respondent has not submitted a Response and has not provided any plausible explanation for the registration of the disputed domain name and for its plans how to use it.

The Panel is therefore of the view that the Respondent is more likely than not to have registered the disputed domain name with knowledge of the Complainant's trademark and with the intention of taking advantage of its goodwill, and has attempted to receive commercial gain by seeking to sell the disputed domain name at a profit. This constitutes bad faith registration and use within the meaning of paragraph 4(b)(i) of the Policy.

It is also notable that, as pointed out by the Complainant, the Respondent has recently been found to have acted in bad faith in almost identical circumstances (registration of a domain name identical to a third-party trademark and offering it for sale at the price of USD 1450) in three other proceedings under the Policy, which demonstrates a pattern of bad faith conduct.

Considering the above, the Panel that the disputed domain name has been registered and used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **belmond.site**: Transferred

PANELLISTS

Name	**Assen Alexiev**

DATE OF PANEL DECISION 2025-12-04

Publish the Decision