Decision for dispute CAC-UDRP-108717

Case number	CAC-UDRP-108717
Time of filing	2026-06-15 08:26:02
Domain names	amanpuloresort.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Aman Group S.à r.l.

Complainant representative

Organization	HSS IPM GmbH

Respondent

Organization	tech agbadev

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 owns the registered trademark AMANPULO in numerous territories, including but not limited to:

COUNTRY	TM	REG. NO.	REG DATE	OWNER
Philippines	AMANPULO	4-1993-65782	May 15, 1998	Aman Group S.à.r.l.
Malaysia	AMANPULO	93009018	February 24, 2010	Aman Group S.à.r.l.
European Union	AMANPULO	009116153	November 2, 2010	Aman Group S.à.r.l.
United Kingdom	AMANPULO	UK0090911615	November 2, 2010	Aman Group S.à.r.l.
United States of America	AMANPULO	3899893	January 4, 2011	Aman Group S.à.r.l.

Brazil	AMANPULO	830601481	January 22, 2013	Aman Group S.à.r.l.

FACTUAL BACKGROUND

The Aman Group S.á.r.l. (the “Complainant”) is a luxury hotel and accommodation business with around 36 destinations in 20 countries, 15 of which are located close to or within UNESCO-protected sites. Over ten new projects have been announced. Within Complainant’s global portfolio of destinations, Amanpulo represents one of its most iconic and highly recognized remote luxury retreats. Located on the secluded Pamalican Island in the Sulu Sea, Philippines, Amanpulo has offered a tropical sanctuary since its launch, establishing immense international goodwill, distinctiveness, and commercial value under the AMANPULO® mark.

The trademark registrations owned by Complainant long predate the registration of the Disputed Domain Name, which was registered on February 13, 2026.

The Complainant owns the domain name aman.com, registered on July 22, 1997 and the domain name amanpulo.com, registered on May 07, 1998. The Complainant and its affiliates use these domain names to connect to the website through which they inform potential customers about the AMANPULO® mark, related brands, and products and services.

The Disputed Domain Name resolves to a deceptive website that prominently features Complainant's AMANPULO trademark to pass itself off as the official digital home of "Amanpulo - Private Island Resort" on Pamalican Island. Rather than a direct visual replication of the Complainant’s exact website layout, the deception relies on the explicit appropriation of the brand's core identity markers, proprietary product nomenclature (e.g. “Beach Casita”, “Hillside Casita”, “Treetop Casita”), and unique commercial concepts to engineer consumer confusion. Furthermore, Respondent's 'About' page states that 'Amanpulo, meaning "peaceful island," is a secluded paradise..., copying the exact Sanskrit-Tagalog hybrid translation coined by the Complainant. Under WIPO Overview 3.1, section 2.5.1, such look-alike use cannot constitute fair use, as the composition of the site effectively impersonates Complainant.

The fraudulent scheme is executed through a series of calculated appropriations:

- **Inventory appropriation:** The website directly targets Complainant’s proprietary room inventory, explicitly utilizing unique corporate terminology to list "Featured Rooms" exclusive to Complainant’s real-world resort, including the "Treetop Casita," "Beach Casita," and "Hillside Casita," complete with localized luxury pricing grids.
- **Identical location:** Respondent displays Complainant’s actual physical location at “Pamalican Island, Palawan, Philippines” as its own operational address, directly exploiting the geographic reality that Pamalican Island is an ultra-luxury retreat home exclusively to Complainant's 5-star resort.
- **Deceptive contact:** To reinforce the illusion of authenticity while intercepting communications, Respondent lists a telephone number that copies Complainant’s official contact number (+63 2 7976 5200) with a single tactical modification, altering only the fourth digit from a 7 to an 8 to read "+63 2 8976 5200".
- **Logistics replication**: Respondent has closely replicated Complainant's highly specialized operational travel logistics, where genuine guests traveling to the Complainant's property must fly directly from Manila to Pamalican Island via a specialized private air transfer. Respondent explicitly duplicates this travel framework on its platform with minor differences (claiming the flight takes 70 min., instead of the 90 min. claimed by Complainant), highlighting that the location is 'accessible only by private aircraft'.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.
No administratively compliant Response has been filed.

RIGHTS

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

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

According to Paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements to obtain an order that the disputed domain name should be transferred or cancelled:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

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

The Panel has examined the evidence available to it and has come to the following conclusion concerning the satisfaction of the three elements of paragraph 4(a) of the Policy in these proceedings:

RIGHTS

The Complainant has established rights in the name AMANPULO. The disputed domain name <AMANPULORESORT.COM> is found to be confusingly similar to the Complainant's trademark(s) and domain name. This finding is based on the settled practice in evaluating the existence of a likelihood of confusion of:

1. a) disregarding the top-level suffix in the domain name (i.e. ".com"); and
2. b) finding that the addition of a non-distinctive and generic word such as "RESORT" – describing the very commercial activity of the Complainant – as an addition to the identical word element of the protected trademarks would not be considered sufficient to distinguish a domain name from a trademark. The addition of the generic term does not alter the recognizable and distinctive element of a trademark which is adopted in its entirety in the disputed domain name, thus making the trademark and the domain name confusingly similar.

The disputed domain name is therefore found to be confusingly similar to the earlier right "AMANPULO", and the Panel concludes that the Complainant has satisfied the requirement under paragraph 4(a)(i) of the Policy.

NO RIGHTS OR LEGITIMATE INTERESTS

The onus to make out a prima facie case that the Respondent lacks rights or legitimate interests is placed on the Complainant. However, once such a prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the disputed domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy (see e.g. WIPO case no. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

The Complainant has put forward that the Respondent has registered the disputed domain name under the name "tech agbadev", and states that it has no knowledge of any such person or entity. The Respondent has failed to provide any evidence concerning rights in the name and this leads to the conclusion that the Respondent is not commonly known by the disputed domain name.

The Respondent is in no way related to the Complainant. Nor has the Respondent been granted an authorization or license to use the disputed domain name by the Complainant. This has not been contested by the Respondent. Instead, the Respondent failed to provide any information or evidence whatsoever that could have shown that it has relevant rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a) (ii) of the Policy).

On the contrary, the disputed domain name resolves to a page where great pains were taken to imitate the Complainant's commercial activities with the clear goal of attracting the Complainant's customers.

In summary, the Panel concludes that the Respondent did not establish any right or legitimate interest in the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy). The Complainant has therefore also satisfied the requirement under paragraph 4(a)(ii) of the Policy.

BAD FAITH

The Panel finds that the Complainant has established that the disputed domain name was registered by the Respondent and is being used by the Respondent in bad faith. For this purpose, the Complainant has successfully put forward prima facie evidence that the Respondent has not made use, or demonstrable preparations to use, of either the disputed domain name in connection with a bona fide offering of goods or services, or of making a legitimate non-commercial or fair use of the disputed domain name. This prima facie evidence was not challenged by the Respondent.

By the time the disputed domain name <AMANPULORESORT.COM> was registered, the Complainant had already been using its trademark "AMANPULO" extensively for some considerable time. The Complainant has established that its trademark is well-known and that it operates a long-standing globally accessible website under the <AMANPULO.COM> domain name.

The word "AMANPULO" appears to have no meaning other than in regard to the Complainant and its trademark(s). The disputed domain name is confusingly similar to the Complainant's well-known trademark "AMANPULO" and in view of the above there appears to be every reason to find that the Respondent must have had knowledge of the prior rights and the use of "AMANPULO" by the Complainant.

This appears to be the sole compelling reason for registering the disputed domain name. Should there be another reason, the onus of providing it lies with the Respondent, and – in the absence of any response – the Respondent has failed to give any explanation at all.

On the other hand, the Complainant has demonstrated that the disputed domain name points to a website which impersonates the commercial activity of the Complainant by providing misleading information about the resort, contact and booking details as well as misleading descriptions, all aimed at tricking internet users into believing that this is the official site operated by the Complainant. The goal is active data harvesting of customer details including payment methods.

In the absence of a Response, given the reputation of the Complainant and its trademark(s), company name and domain as supported by the Complainant's evidence and in view of the use made by the Respondent of the disputed domain name, the Panel must conclude that the Respondent was fully aware of the Complainant's trademark(s), domain and company name "AMANPULO" at the time of registering the disputed domain name <AMANPULORESORT.COM>.

Therefore, it has been established to the satisfaction of the Panel that the disputed domain name was registered and is being used in bad faith in order to prevent the Complainant from making proper use of the mark in the disputed domain name and in order to actively obtain customer details of internet users seeking to interact with the Complainant.

The Panel concludes that the Respondent has registered and is using the disputed domain name in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy). The Complainant has therefore also satisfied this requirement under paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **amanpuloresort.com**: Transferred

PANELLISTS

Name	**Udo Pfleghar B.A. (Melb.)**

DATE OF PANEL DECISION 2026-07-27

Publish the Decision