

Decision for dispute CAC-UDRP-108878

Case number	CAC-UDRP-108878
Time of filing	2026-07-31 09:52:31
Domain names	it-airways.cfd

Case administrator

Name	Olga Dvořáková (Case admin)
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Complainant

Organization	ITALIA TRASPORTO AEREO S.p.A.
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Complainant representative

Organization	Barzanò & Zanardo Milano S.p.A.
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Respondent

Name	ZHUOXUE LI
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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 the ITA and ITA AIRWAYS trade marks including the following registrations:

-ITA (word), EU Reg. no. 018667224, registered on June 10, 2024 in classes 3, 9, 12, 14, 16, 18, 20, 21, 24, 25, 26, 28, 30, 33, 34, 35, 37, 39, 42, 43;

-ITA (device), EU reg. no. 018685967, registered on September 24, 2022 in classes 3, 9, 12, 14, 16, 18, 20, 21, 24, 25, 26, 28, 30, 33, 34, 35, 37, 39, 42, 43;

- ITA AIRWAYS, EU reg. no. 018775945, registered on April 19, 2023 in class 39.

The Complainant registered the domain name <www.ita-airways.com> on October 4, 2021 which it uses for its web site.

FACTUAL BACKGROUND

The Complainant, Italia Trasporto Aereo S.p.A.("ITA"), is the Italian flagship airline which in 2021 acquired the former Alitalia - Società Aerea Italiana S.p.A. in Amministrazione Straordinaria's (Alitalia) business.

The disputed domain name was registered on July 21, 2026 and is not actively used.

PARTIES CONTENTIONS

Complaint

The Complainant's contentions can be summarised as follows:

The disputed domain name is confusingly similar to the Complainant's earlier trademarks as it contains the well-known ITA and ITA AIRWAYS trademarks, the addition of the "-" has no impact on the confusing similarity assessment of the first element of the Policy, and the addition of the gTLD .cfd has no impact in the confusing similarity assessment since it has a technical function.

The Respondent is not an authorized dealer, agent, distributor or reseller of ITA and is not authorized to register and use the ITA and ITA AIRWAYS trademarks in a domain name.

The disputed domain name is not actively used. Thus the disputed domain name is not used for a legitimate non-commercial or fair activity, nor in connection with a bona fide offering of goods and services.

The Respondent has not rebutted the Complainant's prima facie case that the Respondent lacks rights and legitimate interests in respect of the Disputed Domain Name.

The Respondent could not have been ignorant of the existence of the Complainant's trademarks at the time of the registration of the disputed domain names as they are very well-known. The disputed domain name combines ITA with AIRWAYS, a clear reference to the Complainant's field of activity.

The disputed domain name currently links to an inactive website. Previous panelists have found that the non-use of a domain name (including a blank or "coming soon" page) does not prevent a finding of bad faith under the doctrine of passive holding. Elements such as "(i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement), and (iv) the implausibility of any good faith use to which the domain name may be put" have been considered material in order to determine use in bad faith.

In this case, the Complainant's trademarks are well known and the Respondent has not responded to this Complaint and has shielded its identity. The Respondent has registered and used the Disputed Domain Name in bad faith.

Response

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

The disputed domain name is confusingly similar to the Complainant's prior well-known trade marks, in particular its ITA AIRWAYS registered trade mark, omitting only one letter 'a' and adding a hyphen and a gTLD, none of which prevents said confusing similarity.

The Respondent is not commonly known by the disputed domain name and is not authorised by the Complainant.

The Respondent has not responded to or rebutted the Complainant's case.

Since there is no use of the disputed domain name, there is no evidence of bona fide offering of goods or services or non-commercial legitimate or fair use.

The second level of the disputed domain name closely resembles the second level of the Complainant's URL for its main website< ita-airways.com>. As such, the Panel holds that it is confusing and that the Respondent has targeted the Complainant. The 'airways' element of the disputed domain name also shows that the disputed domain name was registered and is intended for use in a competing field to the Complainant. As such, the Panel holds that the Respondent does not have rights or a legitimate interest in the disputed domain name.

The disputed domain name is being passively held, and such a finding does not prevent a finding of bad faith. Here, the Complainant's marks are well known, and the Respondent has not responded to this Complaint and has concealed its identity. Since the disputed domain name on its face has been registered for use in a field competing with the Complainant, it is implausible that the disputed domain name is not intended for bad faith use.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

- 1. it-airways.cfd: Transferred

PANELLISTS

Name	Dawn Osborne
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DATE OF PANEL DECISION 2026-08-22

Publish the Decision