

**Decision No. 427/38 decided on 22 March 2007, formally served on 15 June 2007**

**Case No. 37916/20-10-2006**

The National Telecommunications and Post Committee was faced with a difficult matter when deciding the cancellation petition filed by EXPEDIA INC. against the domain name expedia.gr, which was registered in the name of the Greek company GREECE HTTP MEPE.

In Greece, EXPEDIA INC. neither had any physical presence, through offices, etc. nor did it ever before operate any Greek website. Nevertheless, it was able to substantiate the fame of its brand, as a company name, trademark and domain name and as such, successfully retrieve the domain name expedia.gr.

The Committee, in its decision, acknowledged the fact that EXPEDIA INC., is a well-known travel agent that has acquired its fame while operating primarily through the internet in various countries in the world, such as USA, Canada, Australia, Italy, France, England, Germany, Belgium, Netherlands, etc.

Given the very nature of online services and the fact that, when it comes to the internet, physical presence becomes a redundant issue, the Committee was unfazed by the fact that EXPEDIA INC is not physically present in Greece and has never operated a Greek website before. The Committee placed emphasis on the steep global

investment of EXPEDIA INC, on the expedia brand, resulting to the fame of the expedia brand internationally.

The Committee was happy to recognize that expedia is well-known in Greece, even purely on the basis of the online use of the brand. It held that the registration of the expedia.gr domain name by the Greek registrant was done in bad faith. The Committee, in its ruling, pointed out that the registrant was obviously aware of the famous expedia brand, and had no qualms about exploiting expedia's good will and confusing the public.

*Eleni Lappa*

*Dr Helen Papaconstantinou, John Filias & Associates*

*Athens*