

ADMINISTRATIVE PANEL DECISION

Tempcover Ltd v. busy juggin
Case No. D2025-0482

1. The Parties

The Complainant is Tempcover Ltd, United Kingdom, represented by Venner Shipley LLP, United Kingdom.

The Respondent is busy juggin, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <tempcoverportal.digital> is registered with Namecheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 6, 2025. On February 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 7, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 11, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on February 13, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on February 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 6, 2025. The Respondent sent an email communication to the Center on February 28, 2025. On March 14, 2025, the Center informed the Parties that it would proceed with appointment of the Panel.

The Center appointed David Taylor as the sole panelist in this matter on March 21, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a company incorporated under the laws of England and Wales, operating in the insurance industry. Launched in 2006 under the name “Temporary Cover”, the Complainant offers flexible temporary vehicle insurance policies. In 2010, the Complainant rebranded its services as “Tempcover.com”. The Complainant offers its short-term insurance services via its website at “www.tempcover.com”.

The Complainant is the owner of trademark registrations for TEMPCOVER, including the following:

- United Kingdom Trademark Registration No. UK00003399923, TEMPCOVER (figurative), registered on August 16, 2019; and
- United Kingdom Trademark Registration No. UK00002515637, TEMPCOVER.COM, registered on December 4, 2009.

The disputed domain name was registered on July 6, 2024. At the time of submission of the Complaint to the Center, the disputed domain name resolved to a website that displayed the Complainant’s figurative TEMPCOVER trademark, making use of a similar colour scheme and graphics as those used on the Complainant’s official website, and displaying buttons labelled “Download Certificate” and “Download Policy” (the “Respondent’s website”).

At the time of this decision, the disputed domain name no longer resolves to an active web page.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant asserts rights in the trademarks TEMPCOVER and TEMPCOVER.COM. The Complainant submits that the disputed domain name is confusingly similar to its trademarks.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant submits that the Respondent has not used the disputed domain name in connection with any legitimate business offering. Rather, the Respondent is using the disputed domain name to impersonate the Complainant. The Complainant notes that the buttons on the Respondent’s website are inactive but notes that the disputed domain name could easily be used to engage in phishing.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant submits that the Respondent knew of the Complainant’s rights in the TEMPCOVER trademark when registering the disputed domain name. The Complainant submits that the Respondent has engaged in activity that amounts to impersonation of the Complainant, likely to divert actual or potential customers away from the Complainant. The Complainant asserts that there is a real risk that the disputed domain name may be used in connection with a phishing campaign or as a vehicle to distribute malware.

The Complainant requests transfer of the disputed domain name.

B. Respondent

The Respondent sent a single informal email communication to the Center stating:

“I consent to the remedy requested by the complainant and agree to transfer the disputed domain name.”

6. Discussion and Findings

6.1. Procedural Matter: The Respondent’s Consent to Remedy

Where parties to a UDRP proceeding have not been able to settle their dispute prior to the issuance of a panel decision using the “standard settlement process” described in paragraph 17 of the Rules, but where the respondent has nevertheless given its consent on the record to the transfer remedy sought by the complainant, many panels will order the requested remedy solely on the basis of such consent. In such cases, the panel gives effect to an understood party agreement as to the disposition of their case (whether by virtue of deemed admission, or on a no-fault basis).

In some cases, despite such respondent consent, a panel may in its discretion still find it appropriate to proceed to a substantive decision on the merits. Scenarios in which a panel may find it appropriate to do so include (i) where while consenting to the requested remedy the respondent has expressly disclaimed any bad faith, or (ii) where there is ambiguity as to the scope of the respondent’s consent. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.10.

In the present case, the Panel notes that when invited, the Complainant did not request suspension of the proceedings and did not otherwise reply to the Respondent’s consent to remedy. As noted below, the Panel is of the view that the disputed domain name was registered and has been used in bad faith. In the surrounding circumstances, the Panel considers it appropriate to proceed to a decision on the merits.

6.2. Substantive Matters

In order to prevail, the Complainant must demonstrate that it has satisfied the requirements of paragraph 4(a) of the Policy:

- (i) The disputed 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 disputed domain name; and
- (iii) The disputed domain name was registered and is being used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant’s trademark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of the trademark TEMPCOVER for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name comprises the textual elements of the Complainant’s TEMPCOVER trademark, altered only by the addition of the descriptive term “portal”. The Panel finds that the addition of the term “portal” does not prevent a finding of confusing similarity between the disputed domain name and the Complainant’s TEMPCOVER trademark. [WIPO Overview 3.0](#), section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although 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 difficult 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

As noted above, the disputed domain name has been used in connection with a website that had the appearance of being operated by the Complainant. Such use of the disputed domain name risks misleading Internet users as to the source of the Respondent’s website. Panels have held that the use of a domain name for illegitimate activity such as impersonation or passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

There is no evidence to suggest that the Respondent is commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy. Nor is the Respondent making any legitimate noncommercial or fair use of the disputed domain name pursuant to paragraph 4(c)(iii) of the Policy. Indeed, the nature of the disputed domain name itself, being composed of the Complainant’s TEMPCOVER trademark followed by the term “portal” (having an inherent Internet connotation), is such that the disputed domain name carries a risk of implied affiliation with the Complainant’s trademark. [WIPO Overview 3.0](#), section 2.5.1.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Given that the Respondent’s website previously appearing at the disputed domain name effectively impersonated the Complainant, it is clear that the Respondent had knowledge of the Complainant and its prior rights in the TEMPCOVER trademark when registering the disputed domain name. Internet users seeking the Complainant online were likely to be misled into believing that the Respondent’s website was operated by or otherwise affiliated with the Complainant. Panels have held that the use of a domain name for illegitimate activity, including impersonation or passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

The fact that the disputed domain name no longer resolves to an active web page does not cure the Respondent’s bad faith use of the disputed domain name, nor does it materially affect the Panel’s findings.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <tempcoverportal.digital> be transferred to the Complainant.

/David Taylor/

David Taylor

Sole Panelist

Date: April 3, 2025