

## **ADMINISTRATIVE PANEL DECISION**

Tempcover Ltd v. Lala Landia, Bullets Fly  
Case No. D2025-0562

### **1. The Parties**

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

The Respondent is Lala Landia, Bullets Fly, Timor-Leste.

### **2. The Domain Name and Registrar**

The disputed domain name <tempcoverofficials.com> 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 12, 2025. On February 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 13, 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 (Redacted for Privacy, 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 14, 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 amended Complaint on February 18, 2025.

The Center verified that the Complaint together with the amended 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 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 15, 2025.

The Center appointed Anna Carabelli as the sole panelist in this matter on March 20, 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, part of the RVU Group since 2022, provides short-term car insurance policies targeted to meet the needs of drivers who require short-term insurance coverage.

The Complainant has provided this service since 2006, and since 2010 has been operating under the trademark TEMPCOVER with growing success. Its industry recognition has included: in 2021, Global Digital Experience Awards, Best Use of CRM [customer relationship management]; in 2020, Insurance Times Awards, B2C [business to consumer] Marketing Campaign of the Year; in 2020, British Insurance Awards 2020, Brand Management Award; in 2020, Insurance Times Tech & Innovation Awards, Best Use of Technology for Customer Experience; and in 2017, The Queen's Award for Enterprise.

By 2016 the Complainant had sold some 2 million insurance policies.

The Complainant owns the following registered trademarks consisting of or including TEMPCOVER:

- United Kingdom trademark registration number UK00003399923 for a series of two device TEMPCOVER marks, registered on August 16, 2019 in class 36;
- United Kingdom trademark registration number UK00002515637 for TEMPCOVER.COM, registered on December 4, 2009 in class 36.

The Complainant does business through the website "www.tempcover.com" and operates pages on various social media.

The disputed domain name was registered on July 24, 2024. As per the uncontested evidence provided with the Complaint, the disputed domain name resolved to a website mimicking the Complainant's official website, displaying the Complainant's TEMPCOVER trademark and using identical images to those used on the Complainant's website. Links on the homepage at the Respondent's website redirected to the relevant page on the Complainant's website.

At the time of this Decision, the disputed domain name resolves to an inactive webpage displaying a notice that the site can't be reached.

#### **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.

Notably, the Complainant contends that:

- As a result of the Complainant's reputation and investments, the Complainant's TEMPCOVER trademark is well recognized by consumers and firmly associated with the Complainant.
- The disputed domain name is confusingly similar to the Complainant's trademark.
- The Respondent has no rights or legitimate interests in respect of the disputed domain name since: (i) the Complainant has not authorized the Respondent to use its Mark, (ii) the Respondent's use of the disputed domain name is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use.

In this connection the Complainant contends that the Respondent is using the disputed domain name for illegal activity (i.e., impersonation/passing off and potential phishing scheme).

- The disputed domain name was registered and is being used in bad faith. The Respondent has registered and used the disputed domain name with an intent to trade on the goodwill and the reputation of the Complainant, and to attract for commercial gain Internet users to the Respondent's website by creating a likelihood of confusion with the TEMPCOVER trademark, and there is a real risk that the disputed domain name could be used for phishing activities.

- The contact details (address and phone number) provided by the Respondent when registering the disputed domain name are clearly inconsistent and false, which is further evidence of bad faith.

Based on the above the Complainant requests the disputed domain name be transferred to the Complainant.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs the Panel to decide the Complaint based on the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

Under paragraph 4(a) of the Policy, the Complainant must prove each of the following:

- (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 has been registered and is being used in bad faith.

Paragraph 4(b) of the Policy sets out four illustrative circumstances, which for the purposes of paragraph 4(a)(iii) of the Policy, shall be evidence of registration and use of a domain name in bad faith.

Paragraph 4(c) of the Policy sets out three illustrative circumstances any one of which, if found by the panel, shall be evidence of the respondent's rights to or legitimate interests in a disputed domain name for the purpose of paragraph 4(a)(ii) of the Policy above.

### **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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

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

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The addition of the Top-Level Domain, such as ".com", is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Although the addition of other terms here, “officials”, may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [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.

Having reviewed the available record, the Panel finds 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 rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The composition of the disputed domain name (comprising of the Complainant’s TEMPCOVER trademark) and the content of the website at the disputed domain name create a risk of Internet user confusion.

Furthermore, Panels have held that the use of a domain name for illegitimate activity like impersonation, as it is the case here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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

## **C. Registered and Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the disputed domain name is confusingly similar to the Complainant’s TEMPCOVER trademark registered years prior to the registration of the disputed domain name.

As to bad faith use, the evidence submitted with the Complaint shows that the disputed domain name resolved to a website mimicking the Complainant’s official website, displaying the Complainant’s TEMPCOVER trademark and using identical images to those used on the Complainant’s website. Links on the homepage at the Respondent’s website redirected to the relevant page on the Complainant’s website.

All the above suggests that the Respondent was aware of and clearly targeted the Complainant’s TEMPCOVER mark with a deliberate intent to create an impression of an association with the Complainant and to attract Internet users for commercial gain, by creating a likelihood of confusion with the Complainant’s trademark.

This is evidence of registration and use in bad faith under paragraph 4(b)(iv) of the Policy.

Furthermore, Panels have held that the use of a domain name for illegitimate activity here, impersonating the Complainant, 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 does not currently point to an active website and merely resolves to a webpage stating that the site can't be reached, does not prevent a finding of bad faith under the passive holding doctrine given the totality of the circumstances in the present case. [WIPO Overview 3.0](#), section 3.3.

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 <tempcoverofficials.com> be transferred to the Complainant.

*/Anna Carabelli/*

**Anna Carabelli**

Sole Panelist

Date: April 1, 2025