ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Holiday Taxis Group Ltd v. John Dowe
Case No. D2026-1136

1. The Parties

The Complainant is Holiday Taxis Group Ltd, United Kingdom ("UK"), represented by Shoosmiths LLP, United Kingdom.

The Respondent is John Dowe, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <holidaytaxisfleet.com> (the "Domain Name") is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 17, 2026. On March 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 17, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the Domain Name which differed from the named Respondent (OWNER OF THE DOMAIN NAME HOLIDAYTAXISFLEET.COM) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 19, 2026, 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 March 22, 2026.

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 March 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 21, 2026.

The Center appointed Nicholas Smith as the sole panelist in this matter on April 27, 2026. 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.

On April 14, 2026, the Complainant sent an e-mail communication to the Center seeking to further amend the Complaint.

4. Factual Background

The Complainant is a United Kingdom company, established in 2002, that provides holiday transfer services. From the Complainant's official website at the domain name <holidaytaxis.com> a customer can book a car service with the Complainant from their destination airport to their hotel or resort, with the Complainant satisfying the service through one of the various third parties it engages at the destination in question. The Complainant offers its service in over 21,000 destinations in 150 countries around the world.

The Complainant has held a UK trademark registration for a device mark consisting of the words HOLIDAYTAXIS in prominent font (and the additional words "PART OF HBX GROUP" in much smaller font) in white on a square blue background (the "HOLIDAYTAXIS Mark") since 2026, being registration number UK00004312806, registered April 10, 2026, for services in classes 39 and 42.

The Domain Name was registered on July 22, 2025. At the time of this Decision, the Domain Name resolves to a website that contains the word "taxi" and the phrase "Your Ride Your Way" and a contact form, but on further inspection does not appear to operate as an actual business, as the website does not purport to offer any services and the bottom of the website contains the notice "Copyright © 2025 Taxi - All Rights Reserved". The Complaint contains evidence that the Respondent has, using the e-mail address "[…]@holidaytaxisfleet.com" contacted various third parties seeking to commence business relationships. The Respondent's initial e-mails contained branding that was strikingly similar to the HOLIDAYTAXIS Mark and made reference to the Complainant's website at "www.holidaytaxis.com". The Respondent then entered into contracts with those third parties in the Complainant's name. The third parties then commenced providing car transfer services (to the Respondent), which the Respondent did not pay for.

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 Domain Name.

Notably, the Complainant contends that:

a) It is the owner of the HOLIDAYTAXIS Mark, having registered the HOLIDAYTAXIS Mark in the United Kingdom. The Complainant also claims rights in the unregistered HOLIDAYTAXIS trade mark. The Domain Name is confusingly similar to the HOLIDAYTAXIS Mark as it reproduces the "holiday" and "taxis" elements in the HOLIDAYTAXIS Mark in their entirety, and adds the additional element "fleet" (along with the ".com" generic Top-Level Domain).

b) There are no rights or legitimate interests held by the Respondent in respect of the Domain Name. The Domain Name is being used for emails that impersonate the Complainant in order to perpetuate fraud.

c) The Domain Name was registered and is being used in bad faith. The Domain Name was registered with awareness of the Complainant, given the numerous references made by the Respondent to the Complainant in its e-mails to third parties. Furthermore, the Domain Name is being used for emails that impersonate the Complainant in order to perpetuate fraud.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Issue – Unsolicited Supplemental Filing

On April 14, 2026, the Complainant sent an e-mail communication to the Center seeking to further amend the Complaint to note that its trade mark, stated in the Complaint to be on application with the United Kingdom Intellectual Property Office, had now proceeded to registration with trade mark number UK00004312806.

The Panel has considered whether to have regard to the Complainant's Supplemental Filing. The WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.6 states relevantly that:

"Paragraph 10 of the UDRP Rules vests the panel with the authority to determine the admissibility, relevance, materiality and weight of the evidence, and also to conduct the proceedings with due expedition.

Paragraph 12 of the UDRP Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case.

Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel.

[…]

In all such cases, panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some unforeseen or exceptional circumstance)."

The Panel in accordance with paragraph 10 of the Rules has chosen to accept this unsolicited Supplemental Filing and will treat it as an amendment to the Complaint. The filing contains material (being confirmation that the Complainant's mark is now registered) that was unavailable to the Complainant at the time of submission and is pertinent to the Decision. Moreover, the additional material was filed with the Center prior to the Response due date and the Respondent did not file a Response or any objection to the inclusion of this Supplemental Filing.

6.2 Substantive Issues

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 Domain Name. WIPO Overview 3.1, section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the is recognizable within the Domain Name. Accordingly, the Domain Name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7. While the Domain Name does not reproduce the additional words "PART OF THE HBX GROUP" in the Complainant's mark the mark is clearly recognizable in the Domain Name as the dominant (textual) element of the HOLIDAYTAXIS Mark,

being the words “HOLIDAYTAXIS” (the additional words being in a much smaller font) are wholly reproduced in the Domain Name. The Panel notes that the device elements in the HOLIDAYTAXIS Mark can also be disregarded for purposes of assessing identity or confusing similarity under the first element as they would be incapable of being reproduced in a domain name. WIPO Overview 3.1, section 1.10.

Although the addition of other term here, “fleet” 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 Domain Name and the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

Further, based on the unrebutted record presented, the Panel finds that the Complainant has established its rights in the unregistered HOLIDAYTAXIS mark for the purposes of the UDRP standing. The Complainant claims that it began use of the mark HOLIDAYTAXIS in 2002, and has provided evidence, including customer reviews, that it has acquired sufficient relevant secondary meaning in connection with the Complainant’s services. The fact that the Respondent has targeted the Complainant’s mark, including by reproducing it in the contracts signed with the third parties in the Complainant’s name, and in the emails impersonating the Complainant, in furtherance of its fraudulent scheme, confirms that it has achieved significance as a source identifier (WIPO Overview 3.1, section 1.3).

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 that 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 3.1, 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 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 Domain Name such as those enumerated in the Policy or otherwise.

The Panel considers that the record of this case reflects that:

- Before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. Paragraph 4(c)(i) of the Policy, and WIPO Overview 3.1, section 2.2.

- The Respondent (as an individual, business, or other organization) has not been commonly known by the Domain Name. Paragraph 4(c)(ii) of the Policy, and WIPO Overview 3.1, section 2.3.

- The Respondent is not making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. Paragraph 4(c)(iii) of the Policy, and WIPO Overview 3.1, section 2.4.
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The record contains no other factors demonstrating rights or legitimate interests of the Respondent in the Domain Name.

The Complaint contains detailed evidence of the Respondent's use of the Domain Name to contact various third parties seeking to commence a business relationship. In each case the Respondent has done so while impersonating the Complainant, including through reference to the Complainant's website. It then entered into contracts with those third parties in the Complainant's name, following which it committed acts of fraud on those third parties. The Respondent's use of the Domain Name is in connection with a scheme where it sends emails passing itself off as the Complainant to third parties, often characterized as phishing or fraud. Panels have held that the use of a domain name for illegal activity can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1. Nor, in the circumstances of this case, does the use of the Domain Name for a website that purports to provide some form of taxi service but does not actually provide any details of the service or allow a party to book a taxi, provide the Respondent with rights or legitimate interests; absent any further information from the Respondent, and noting the use of the Domain Name in furtherance of a fraudulent scheme, the website appears to be a sham website for the purpose of asserting a good faith use that does not exist.

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.

The Panel notes that the Domain Name was registered on July 22, 2025, prior to the Complainant's registration of the HOLIDAYTAXIS Mark on April 10, 2026.

The Complainant, while not owning a registration for the HOLIDAYTAXIS Mark until April 2026, had been trading under HOLIDAYTAXIS since 2002 including from its website at "www.holidaytaxis.com". As indicated by its various e-mails and conduct where the Respondent directly impersonated the Complainant, including signing contracts in the Complainant's name, the Respondent registered the Domain Name in awareness of the Complainant, and its rights in at the time unregistered HOLIDAYTAXIS mark with the intention of impersonating the Complainant to commit a fraud on third parties.

Panels have held that the use of a domain name for illegitimate activity (here claimed to be fraud and impersonation/passing off) constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Domain Name constitutes bad faith under the Policy. The Panel finds that the Domain Name has been used to create an email account where the Respondent sent emails purporting to be emails from the Complainant, in order to commit a fraud on third parties.

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 Domain Name <holidaytaxisfleet.com> be transferred to the Complainant.

/Nicholas Smith/
Nicholas Smith
Sole Panelist
Date: April 30, 2026