

## **ADMINISTRATIVE PANEL DECISION**

Tempcover Ltd v. Umar Ahmad  
Case No. D2025-0598

### **1. The Parties**

The Complainant is Tempcover Ltd, United Kingdom ("UK"), represented by Venner Shipley LLP, UK.

The Respondent is Umar Ahmad, Nigeria.

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

The disputed domain name <secured-tempcover.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 14, 2025. On February 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 18, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 14, 2025.

The Center appointed Jacques de Werra 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 was launched in the UK in 2006 under the name “Temporary Cover Ltd”. It is in the business of offering car and van drivers insurance products for short periods. In 2010, the Complainant was rebranded to “Tempcover.com” and it has operated under the trademark TEMPCOVER ever since.

The Complainant is the owner of two trademarks registered in the UK covering the word “Tempcover” (“the Trademark”):

- UK Trademark Registration No. UK00002515637 registered on December 4, 2009 for the word mark TEMPCOVER.COM for various services in class 36; and
- UK Trademark Registration No. UK00003399923 registered on August 16, 2019 for the figurative mark TEMPCOVER for various services in class 36.

The Complainant operates the domain name <tempcover.com> under which it offers its short-term car insurance products.

The Respondent registered the disputed domain name on January 21, 2025. The disputed domain name resolves to a website which displays the Complainant’s TEMPCOVER logo at the top of the page and displays the promotional statement “We are the UK’s largest temporary and short-term insurance provider”. The website uses a style sheet and colour scheme which is highly similar to that used on the Complainant’s genuine website. If the user navigates to the “Sign In” page, they are prompted to provide an email address, policy number and password.

In October 2024, the Complainant filed a DRS complaint against the Respondent with respect to the domain name <secured-tempcover.co.uk> which resolved to a website which was identical to the website associated with the disputed domain name and was also registered in the name of the Respondent (although an address in the UK was provided). The Complainant has filed another DRS complaint in relation to the domain name <tempcoversecured.co.uk>, whereby this domain name was also registered in the name of the Respondent and also resolved to a website which is identical to the website associated with the disputed domain name. The Panel notes that this last dispute was recently decided in favour of the Complainant too.

#### 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 the Respondent makes an unauthorized use of the Trademark on the website associated with the disputed domain name and that the use of the Complainant’s logo and statements which describe the Complainant’s position in the UK short-term insurance market are all evidence that the Respondent knew of the Complainant when the Respondent applied to register the disputed domain name. There is no evidence that the Respondent has ever used or made preparations to use the disputed domain name or the Trademark in connection with a legitimate business, or that it has otherwise been known by the disputed domain name. Rather, the Respondent is trying to impersonate the Complainant by using the disputed domain name to resolve to a website which uses the Trademark and includes promotional statements which will lead consumers to believe the website is that of the Complainant.

The use of the disputed domain name which incorporates the Trademark and leads consumers to believe it is the Complainant’s website is clearly done intentionally to impersonate the Complainant and to deceive consumers into thinking the disputed domain name is operated by or connected to the Complainant. The use of signs identical to the Trademark on the disputed website to allegedly offer services identical to those

for which the Trademark is used and have a significant reputation will obviously result in confusion on the part of Internet users. This activity is not good faith use of the disputed domain name and is very likely to divert actual or prospective customers of the Complainant's business away. Further, there is a real risk that the Respondent could associate the disputed domain name with an email address and use that email address to contact members of the public. Any email address associated with the disputed domain name could be used as an instrument of fraud or as part of a phishing campaign. The potential risk of the use of the disputed domain name as part of a phishing campaign is increased by the disputed website which asks users to insert personal information relating to their policy, which can be used by the Respondent to obtain personal information that can be used to send phishing emails an air of authenticity by including genuine information relating to the consumers policy. In these circumstances, use of the Trademark on the disputed website gives the disputed domain name a further air of authenticity and entices consumers to trust the content of emails received from an email address associated with the disputed domain name.

The Complainant further claims that the Respondent is engaged in a pattern of bad faith behaviour because the Respondent registered comparable domain names <secured-tempcover.co.uk> (although an address in the UK was provided for the Respondent) and <tempcoversecured.co.uk> that both resolved to a website which was identical to the website associated with the disputed domain name and similarly impersonated the Complainant. The decisions were issued in favour of the Complainant about these two domain names (i.e., <secured-tempcover.co.uk> and <tempcoversecured.co.uk>.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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 (i.e., the Trademark) for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Although the addition of other term to the Trademark (here, "secured" at the beginning of the disputed domain name) 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 Panel notes that the website at the disputed domain name has used a similar look and feel to the Complainant's website, reproducing prominently the Complainant's logo. Panels have held that the use of a domain name for illegal activity (here, claimed impersonation/passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. The Panel also considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [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**

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.

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.

The Panel notes that the disputed domain name resolves to a website prominently displaying the Complainant's logo and copying the look and feel of the Complainant's official website. Such use demonstrates the Respondent's knowledge of the Complainant and its intention to create a likelihood of confusion with the Complainant for its own commercial gain. Further, panels have held that the use of a domain name for illegal activity (here, claimed impersonation/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.

In addition, the Panel notes that the Respondent has engaged in a pattern of conduct by which it has registered other domain names that have been found to be infringing on the Complainant's rights under the DRS as described above, which constitutes further evidence of bad faith conduct of the Respondent under the Policy.

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 <secured-tempcover.com> be transferred to the Complainant.

*/Jacques de Werra/*

**Jacques de Werra**

Sole Panelist

Date: April 7, 2025