

ADMINISTRATIVE PANEL DECISION

Grabtaxi Holding Pte. Ltd. v. Ngo Trong Nghia
Case No. D2025-0967

1. The Parties

The Complainant is Grabtaxi Holding Pte. Ltd., Singapore, represented by BMVN International LLC, Viet Nam.

The Respondent is Ngo Trong Nghia, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <grabbinhchanh.com> (the “Domain Name”) is registered with iNET Corporation (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 10, 2025. On March 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On March 11, 2025, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 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 March 17, 2025.

On March 14, 2025, the Center informed the parties in Vietnamese and English, that the language of the registration agreement for the Domain Name is Vietnamese. On March 17, 2025, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in both English and Vietnamese, and the proceedings commenced on March 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2025. The Respondent sent an email communication to the Center on March 20, 2025, in Vietnamese. The Center sent an email communication to the Parties regarding a possible settlement on March 20, 2025. On March 26, 2025, the Complainant requested suspension of the proceeding to explore settlement options. Subsequently, the proceedings were suspended on March 26, 2025, and were reinstated on April 28, 2025. The revised due date for Response was May 14, 2025. On May 19, 2025, the Center informed the Parties that it would proceed with Panel Appointment, pursuant to paragraph 6 of the Rules.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on May 22, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant provides services across the Southeast Asian region in Viet Nam, Singapore, Malaysia, Thailand, Indonesia, Philippines, Cambodia and Myanmar through an application. The services offered include transportation, logistics, food delivery, courier services, online shopping, home cleaning and repair services, financial services and enterprise services. It connects millions of consumers and merchants. The Complainant's Grab App was first launched in June 2012. It expanded to Viet Nam and Indonesia in the first half of 2014. The Complainant has registered trademarks in GRAB and similar trademarks throughout the world, also in Viet Nam where the Respondent is located, such as Vietnamese trademark number 318225 (registered on April 16, 2019).

The Complainant owns a number of domain names that contain the GRAB trademark, including <grab.com>, registered in 1996.

The Domain Name was registered on February 23, 2024. The Complainant has documented that the Domain Name has resolved to a website that offers the same transportation services (i.e., ride bookings, ride-hailing, ride-sharing) as the Complainant.

5. Parties' Contentions

A. Complainant

The Complainant believes that the Respondent is capable of understanding English and requests the language of the proceedings to be English. The services offered on the website under the Domain Name are related to the Complainant, which is a non-Vietnamese entity. The possibility of the Respondent being familiar with English is high as his website displays various terms in English. Also, it would be an extra burden and cost for the Complainant to translate the Complaint into Vietnamese.

The Complainant provides evidence of trademark registrations and contends that the Domain Name is confusingly similar to the Complainant's trademark GRAB as the Domain Name incorporates the entire trademark. The additional term "binhchanh" does not prevent confusing similarity between the Domain Name and the trademark. "Binhchanh" is a geographical location in Viet Nam (i.e., Binh Chanh District in Ho Chi Minh City).

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant asserts that the Respondent is not affiliated with the Complainant. The Respondent has not been granted any license to use the GRAB trademark, nor was the Respondent otherwise authorized by the Complainant to use the trademark. There is no evidence that the Respondent has become commonly known by reference to the Domain Name. There is no evidence of the Respondent's

use of, or 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. The Complainant argues that the Respondent did not register the Domain Name for any legitimate purpose, but in order to appropriate the fame and reputation of the Complainant's trademark.

The Complainant believes it is evident that the Respondent knew it incorporated a trademark in which the Complainant had prior rights. The Domain Name incorporates the Complainant's prior-registered GRAB trademark, long after the Complainant's GRAB trademarks became widely known to consumers. The Respondent has been using the Domain Name in bad faith to profit from the resulting consumer confusion. The Respondent's webpage offers the same transportation services as the Complainant. Furthermore, the Respondent has used the Complainant's advertising material to create a false association between its webpage and the Complainant. The Respondent's use of privacy protection service is further evidence of the Respondent's bad faith intent, according to the Complainant.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions but sent an informal email to the Center on March 20, 2025, informing in Vietnamese that the Domain Name was no longer in use and had been deleted.

6. Discussion and Findings

6.1. Procedural Issue: Language of the Proceeding

Paragraph 11(a) of the Rules provides that the language of the administrative proceeding shall be the language of the Registration Agreement, unless otherwise agreed by the parties. Importantly, paragraph 11(a) also states that the determination of the language of the proceeding is "[...] subject to the authority of the Panel [...], having regard to the circumstances of the administrative proceeding".

Paragraphs 10(b) and (c) of the Rules require the Panel to ensure that the Parties are treated with equality, that each Party is given a fair opportunity to present its case and that the administrative proceeding takes place with due expedition. Prior UDRP panels have decided that the choice of language of the proceeding should not create an undue burden for the parties. See [WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition \("WIPO Overview 3.0"\)](#), section 4.5.1.

The language of the Registration Agreement is Vietnamese. The Complainant submitted its Complaint in English and requested English to be the language of the proceeding. The Panel notes that the Center has sent the notifications to the Respondent in both English and Vietnamese, providing the Respondent a fair chance to object. The Respondent did not comment on the Complainant's request for the language of the proceeding be English. Moreover, the Respondent's website displays various terms in English, and it clearly freerides on the Complainant and the Complainant's website. This indicates the Respondent understands English.

The Panel therefore determines, under paragraph 11(a) of the Rules, that the language of this proceeding to be English.

6.2 Substantive Issues

A. Identical or Confusingly Similar

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 3.0](#), section 1.7.

The Complainant has established that it has rights in the trademark GRAB. In this case, the Domain Name incorporates the Complainant's trademark with the addition of "binhchanh"; a geographical location in Viet Nam. This addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the gTLD; see [WIPO Overview 3.0](#), sections 1.8 and 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

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

While 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 often impossible 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. 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.

Based on the evidence, the Respondent is not affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or 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. On the contrary, the Respondent has used the Domain Name to appropriate the fame and reputation of the Complainant's trademark. Moreover, the composition of the Domain Name carries a risk of implied affiliation with the Complainant.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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 Respondent most likely knew of the Complainant when he registered the Domain Name. It follows from the composition and use of the Domain Name, as well as the fame of the Complainant. The Respondent's webpage offers the same transportation services as the Complainant, and it uses some of the Complainant's advertising material. The Respondent has not offered any explanation as to why it registered a domain name confusingly similar to the Complainant's trademark, nor provided any evidence of actual or contemplated good faith use of the Domain Name.

Based on the available record, 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 the Domain Name <grabbinhchanh.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: May 26, 2025