

ADMINISTRATIVE PANEL DECISION

GrabTaxi Holdings Pte. Ltd. v. Tran Van Anh
Case No. D2025-1105

1. The Parties

Complainant is GrabTaxi Holdings Pte. Ltd., Singapore, represented by BMVN International LLC, Viet Nam.

Respondent is Tran Van Anh, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <grabxemay.com> is registered with P.A. Viet Nam Company Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 18, 2025. On March 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 19, 2025, the Registrar transmitted by email to the Center its verification response confirming that 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 Respondent of the Complaint, and the proceedings commenced on March 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 17, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on April 25, 2025.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on May 5, 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

Complainant is a company organized under the laws of Singapore that offers software platforms and mobile applications for e.g. ride-hailing, ride-sharing, food delivery, logistics services, and digital payment, including the mobile application named “Grab”.

Complainant has provided evidence that it is the registered owner of numerous trademarks relating to its company name and brand “Grab”, including, but not limited to, the following with protection for Viet Nam:

- word trademark GRAB, Intellectual Property Office of Viet Nam, registration number: 318225, registration date: April 16, 2019, status: active;
- word trademark GRAB, Intellectual Property Office of Viet Nam, registration number: 368018, registration date: October 27, 2020, status: active;
- word trademark GRABTAXI, International trademark, registration number: 1213411, registration date: May 20, 2014, status: active.

Moreover, Complainant has demonstrated to own various domain names relating to its GRAB trademark, including since 1996 the domain name <grab.com> which resolves to Complainant’s main website at “www.grab.com”, used to promote Complainant’s services in the transportation and delivery industry internationally.

Respondent, according to the registrar verification, is located in Viet Nam. The disputed domain name was registered on June 15, 2021. It resolves to a website at “www.grabxemay.com” which offers transportation and delivery services, prominently displays Complainant’s official GRAB trademark logo and also refers to other of Complainant’s trademarks, such as GRABTAXI, thereby using GRAB marketing material such as photos from Complainant’s official website without any authorization to do so.

Complainant requests (1) to accept the Complaint be filed in English and (2) that the disputed domain name be transferred to Complainant.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Notably, Complainant contends that it was founded back in 2012 and has offered ever since goods and services in more than 480 cities across eight countries in Southeast Asia, including in Viet Nam. The “Grab” app was first launched in June 2012 and expanded e.g. to Viet Nam in 2014, where Complainant has official representatives. Ever since, Complainant has invested a significant amount in marketing and promoting its services under the GRAB trademark, and after over 10 years of extensive use, Complainant’s GRAB trademark has meanwhile acquired significant recognition in many countries worldwide and especially in Viet Nam.

Complainant submits that the disputed domain name is confusingly similar to Complainant’s well-known GRAB trademark, as it incorporates the entirety of the latter, added by the term “xemay” (which is Vietnamese for “motorbike” or “motorcycle”). Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Complainant’s GRAB trademark is not a term commonly used in the English language for Complainant’s services, (2) the Parties have no prior official connection, and Complainant has never licensed or otherwise authorized Respondent to use its GRAB trademark, either as a domain name or in any other manner, (3) there is no evidence that Respondent has become commonly known by the disputed domain name or has established any trademark rights relating to the term “grab” which is why it is impossible to conceive of any circumstances in which Respondent would use the disputed domain name, except in a deliberate attempt to take advantage of Complainant’s GRAB trademark for commercial gain, and (4) Respondent refers to itself on the website under the disputed domain

name as “GRAB BINH DUONG” and “GRAB TAXI BINH DUONG”, thereby offering transportation and delivery services and, thus, creating an undue association between Complainant and Respondent for Respondent's commercial gain. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) Complainant's GRAB trademark has been perceived by the public as distinctive and highly associated with the mobile super-app and platform “Grab” to connect consumers with drivers and merchants for services such as transportation (ride bookings, ride-hailing, ride-sharing), logistics, food delivery etc., (2) the disputed domain name wholly and purposefully incorporates Complainant's well-known and prior registered GRAB trademark, (3) given the high level of fame and well-established wholesome reputation of Complainant's GRAB trademark, Respondent must have had prior knowledge thereof before registering the disputed domain name, (4) Respondent passes itself off as “Grab Binh Duong” and “Grab Taxi Binh Duong” without any authorization to do so, which can be easily confused as “Grab's representative / branch in Binh Duong Province”, (5) Respondent is offering on the website under the disputed domain name the exact same services (e.g., transportation and delivery) as those offered by Complainant worldwide and in Viet Nam, thereby using various of Complainant's trademarks such as e.g. GRAB and GRABTAXI, and (6) Respondent even uses Complainant's advertising materials taken from Complainant's official website to create a false association between the disputed domain name and Complainant.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) that Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

Respondent's default in the case at hand does not automatically result in a decision in favor of Complainant, however, paragraph 5(f) of the Rules provides that if Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute solely based upon the Complaint. Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from Respondent's failure to submit a Response as it considers appropriate.

A. Language of Proceedings

The Panel has decided, in accordance with Complainant's requests in the Complaint, to accept the Complaint be filed in English, and, thus, to accept English as the language of the proceeding. Notwithstanding the fact that, according to the confirmation of the Registrar of March 19, 2025, the language of the Registration Agreement for the disputed domain name is Vietnamese, the Panel may deviate, in accordance with paragraph 11 of the Rules of Procedure, from the language of the registration agreement, depending on the circumstances of the individual case. In the present case, it must be recognized that (1) the disputed domain name itself contains the English term “grab” which refers to the transportation and delivery services offered by Respondent on the website thereunder, the latter of which as well contains some English language, (2) Complainant is a non-Vietnamese entity, and providing the Complaint in Vietnamese instead of English would amount to further efforts and expenses, and finally (3) Respondent did not react at all on the Center's Written Notice on the Notification of Complaint of March 28, 2025, set up in both English and Vietnamese language. Against this background, this Panel finds that it is appropriate and in the interest of the Parties to conduct this proceeding in English without causing a disproportionate burden for Respondent.

Having said so, the Panel comes to the following decision:

B. Identical or Confusingly Similar

First, 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 Complainant's GRAB 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.

Complainant has shown rights in respect of its GRAB trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Also, the entirety of such trademark is reproduced within the disputed domain name, merely added by the term "xemay", which is Vietnamese for "motorbike" or "motorcycle". Accordingly, the disputed domain name is confusingly similar to Complainant's GRAB trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. Although the addition of other terms (here, the term "xemay") 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 Complainant's GRAB trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel, therefore, holds the first element of the Policy has been established.

C. Rights or Legitimate Interests

Second, paragraph 4(c) of the Policy provides a list of circumstances in which 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Respondent has neither been granted a license nor has it been otherwise authorized by Complainant to use its GRAB trademark, either as a domain name or in any other way. Also, there is no reason to believe that Respondent's name somehow corresponds with the disputed domain name, and Respondent does not appear to have any trademark rights associated with the term "grab" on its own. Finally, the disputed domain name resolves to a website at "www.grabxemay.comt", which offers transportation and delivery services, prominently displays Complainant's official GRAB trademark logo and also refers to other of Complainant's trademarks, such as GRABTAXI, thereby using GRAB marketing material such as photos from Complainant's official website without any authorization to do so, and absent any disclaimer that there is no relationship between the Parties. Such use of the disputed domain name neither qualifies as bona fide nor as legitimate noncommercial or fair within the meaning of paragraph 4(c) of the Policy.

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

D. Registered and Used in Bad Faith

Third, 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 circumstances in this case leave no doubt that Respondent was fully aware of Complainant's transportation and delivery business and its rights in the undisputedly well-known GRAB trademark when registering the disputed domain name and that the latter clearly is directed thereto. Moreover, using the disputed domain name to run a website at "www.grabxemay.com", which offers transportation and delivery services, prominently displays Complainant's official GRAB trademark logo and also refers to other of Complainant's trademarks, such as GRABTAXI, thereby using GRAB marketing material such as photos from Complainant's official website without any authorization to do so, and absent any disclaimer that there is no relationship between the Parties, is a clear indication that Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusing with Complainant's GRAB trademark as to the source, sponsorship, affiliation or endorsement of Respondent's website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Finally, it also carries weight in the eyes of the Panel that Respondent obviously provided false or incomplete contact information in the Whois register for the disputed domain name since, according to the email correspondence between the Center and the postal courier DHL, the Written Notice on the Notification of Complaint dated March 28, 2025 could not be delivered due to a bad address. This fact at least throws a light on Respondent's behavior which supports the Panel's bad faith finding.

The Panel, therefore, holds that Complainant has established the third element of the Policy, too.

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, <grabxemay.com>, be transferred to Complainant.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: May 19, 2025