

ADMINISTRATIVE PANEL DECISION

GrabTaxi Holdings Pte. Ltd. v. Nguyen Huu Toai
Case No. D2025-1176

1. The Parties

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

The Respondent is Nguyen Huu Toai, Viet Nam.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on March 20, 2025. On March 21, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 22, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 24, 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 26, 2025.

On March 24, 2025, the Center informed the parties in Vietnamese and English, that the language of the registration agreement for the disputed domain name is Vietnamese. On March 26, 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 English and Vietnamese, and the proceedings commenced on April 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 25, 2025.

The Center appointed Knud Wallberg as the sole panelist in this matter on May 8, 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 is the intellectual property holding entity of a Southeast Asian technology company group that was founded in 2012 and is headquartered in Singapore. The Complainant's group offers software platforms and mobile applications for, among others, ride-hailing, ride-sharing, food delivery, logistics services, and digital payment. This includes without limitation the mobile application under the name "Grab", first launched in June 2012, and which according to the Complainant has a strong presence in Singapore and Malaysia, while also offered in neighboring Southeast Asian nations such as Viet Nam, Indonesia, Thailand, the Philippines, Myanmar, and Cambodia.

On March 26, 2018, the Complainant's group acquired Uber's operations in Southeast Asia, including Viet Nam.

The Complainant owns numerous trademark registrations for GRAB including the Vietnamese trademark registration No. 4-0318225-000, GRAB (word), registered on April 16, 2019, for goods and services in international classes 9, 38 and 39.

The Complainant also owns the disputed domain name <grab.com> registered on November 2, 1996.

The Respondent registered the disputed domain name <datgrapgiaohanggiare.com> on November 6, 2023. The disputed domain name has resolved to a website in Vietnamese that offered similar services to those offered by the Complainant.

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 disputed domain name is confusingly similar to the Complainant's trademark GRAB, since the "grap" element should be deemed confusingly similar to the GRAB trademark with the addition of the generic terms "dat" which means "book" in Vietnamese, "giaohang" which is a Vietnamese word meaning "delivery" and "giare" which is a Vietnamese word meaning "cheap" or "low price".

The Complainant contends that the Respondent has no rights to or legitimate interests in respect of the disputed domain name, since the Respondent has not demonstrated to have any rights corresponding to the disputed domain name nor to have used the disputed domain name in connection with a bona fide offering of goods or services.

The Complainant finally contends that the Respondent has registered and used the disputed domain name in bad faith. The disputed domain name thus wholly and purposefully incorporates the "grap" word which is almost identical to the Complainant's well-known and prior-registered GRAB Trademark, and it was

registered by the Respondent after the Complainant's GRAB Trademarks became widely known to consumers and the relevant trade. The Respondent has been using the disputed domain name for a website on which it was offering the same services (i.e., transportation including ride bookings, ride-hailing, and ride-sharing) as those that the Complainant has been providing, while the Respondent is not the Complainant's authorized agent to offer such services in Vietnamese market or use the Complainant's trademarks in any manner.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Vietnamese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that the website under the disputed domain name displays various contents and terms in English.

The Respondent did not file a response nor did the Respondent comment on the Complainant's request for the language of the proceeding be English.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

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 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 Panel finds the mark is recognizable within the disputed domain name. In accordance with section 1.9 of the [WIPO Overview 3.0](#), a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by UDRP panels to be confusingly similar to the relevant mark for purposes of the first element. Here, the disputed domain name incorporates the Complainant's GRAB mark but with the final letter "b" replaced by a "p", representing an obvious misspelling of "grab".

Although the addition of the generic terms "dat" which means "book" in Vietnamese, "giaohang" which is a Vietnamese word meaning "delivery" and "giare" which is a Vietnamese word meaning "cheap" or "low price", may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 content of the website associated with the disputed domain name is usually disregarded by panels when assessing confusing similarity under the first element. In some instances, panels have however taken note of the content of the website associated with a domain name to confirm confusing similarity whereby it appears prima facie that the respondent seeks to target a trademark through the disputed domain name. [WIPO Overview 3.0](#), section 1.15. Here, the confusing similarity is confirmed by the fact that the website at the disputed domain name offers similar services as the Complainant.

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 finds that the Respondent, by offering similar services as those of the Complainant under the disputed domain name which is confusingly similar to the Complainant’s trademark, has not made a noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers.

Panels have held that the use of a domain name to pass off as the Complainant 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 Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark, since it has used the disputed domain name, to host a website that provides services that are similar to those offered by the Complainant and that appear falsely to be those of or endorsed by the Complainant.

The Panel therefore finds that the Respondent has registered and used the disputed domain name in bad faith, [WIPO Overview 3.0](#), sections 3.1.4 and 3.2.1 and 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 <datgrapgiaohanggiare.com> be transferred to the Complainant.

/Knud Wallberg/

Knud Wallberg

Sole Panelist

Date: May 28, 2025