

## **ADMINISTRATIVE PANEL DECISION**

AirGSM Pte. Ltd. v. Resources Airalo, Human Resources Airalo  
Case No. D2025-2116

### **1. The Parties**

The Complainant is AirGSM Pte. Ltd., Singapore, represented by Lewis Silkin LLP, United Kingdom.

The Respondent is Resources Airalo, Human Resources Airalo, Brazil.

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

The disputed domain name <hrrairalo.com> is registered with Squarespace Domains II LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 29, 2025. On May 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 30, 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 June 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 12, 2025.

The Center appointed Keiji Kondo as the sole panelist in this matter on July 16, 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 incorporated in 2019, using the trademark AIRALO. Since 2019 it has grown to be regarded as a leading provider of digital SIM (eSIM) cards, providing its services to over 20 million customers in over 200 countries.

The Complainant employs over 200 people, spread over 44 countries and 6 continents. It conducts its business primarily through its core website, found at “www.airalo.com”, and its AIRALO-branded software applications. According to the Complainant, its iOS app has received over 66,000 independent reviews (with an average score of 4.6 out of 5). Its Android app has been downloaded over 5 million times, and has received over 80,000 reviews, with an average score of 4.5 out of 5.

The Complainant is the proprietor of a global portfolio of trademark rights for its AIRALO logo depicted below:



Among the Complainant’s trademark portfolio is included the following trademark registration:

Singapore Trademark Registration No. 40201914330P, registered on December 19, 2019 for the following designated goods and services:

Class 9: Software and applications for mobile devices.

Class 35: Online retail services.

Class 38: Telecommunications.

The Complainant also has an International Trademark Registration No. 1701049 for the same logo, covering such jurisdictions as Australia, Brazil, Japan, Indonesia, Viet Nam, Thailand, Canada, the United States of America, and the European Union, which is based on the above Singaporean registration.

The disputed domain name was registered on June 18, 2024. The disputed domain name is not currently resolving to an active website.

#### 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 highly similar to the Complainant’s trademark in that it replicates the distinctive verbal element of the Complainant’s trademark, AIRALO, and includes the letters “hr”, an acronym for human resources. For the purposes of assessing identity and confusing similarity under paragraph 4(a)(i) of the Policy, it is permissible for the Panel to ignore the generic Top-Level Domain.

To the best of the Complainant’s knowledge, the Respondent does not own any registered rights in a trademark for AIRALO or the terms “hr airalo”. The term “airalo” is a coined term. It is inherently distinctive

and carries no descriptive connotations. The Complainant has not given consent for the Respondent to register a domain name that incorporates its distinctive trademark, AIRALO. The disputed domain name does not point to an active website or holding page. The Complainant has submitted a prima facie case showing that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Paragraph 4(b) of the Policy sets out, without limitation, certain circumstances which, if found, are deemed to be evidence of use and registration in bad faith. It is to be observed that whilst paragraph 4(a)(iii) requires a showing of both registration and use in bad faith paragraph 4(b) appears not to distinguish between registration and use. Nevertheless, the Complainant submits that the Respondent registered and uses the disputed domain name in bad faith.

The consensus view amongst WIPO panelists is that the non-use of a domain name (including a blank or “coming soon” page) would not prevent a finding of bad faith under the doctrine of passive holding. While panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include:

- (i) the degree of distinctiveness or reputation of the complainant’s trademark;
- (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use;
- (iii) the respondent’s concealing its identity or use of false contact details (noted to be in breach of its registration agreement); and
- (iv) the implausibility of any good faith use to which the domain name may be put.

It is submitted that the Complainant’s trademark is highly distinctive and benefits from a strong reputation. It is submitted that point (i) above is satisfied. The Whois details confirm that the disputed domain name was registered around five years after the Complainant filed its Singaporean trademark registration for its AIRALO logo. As demonstrated by the popularity of the Complainant’s website and mobile applications, the Complainant enjoyed substantial success before the Respondent chose to register the disputed domain name. At the very least, the Respondent should have been aware of the Complainant’s business when registering and using the disputed domain name, given the high degree of reputation in the AIRALO trademarks.

It is to be noted that, although paragraph 4(a)(iii) requires evidence of both registration and use in bad faith, paragraph 4(b) makes clear that passive holding of a domain name does not preclude a finding of bad faith. In this context, the Complainant contends that the Respondent has, accordingly, registered and used the disputed domain name in bad faith.

## **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 owns a trademark registration for a logo in which a term “AIRALO” is the dominant verbal element.

The verbal element of the Complainant’s trademark is reproduced within the disputed domain name, with the addition of the term “hr” at the beginning of the disputed domain name. The addition of the letters “hr” would not prevent an average observer of the disputed domain name from recognizing the AIRALO trademark in the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant’s trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

First of all, the disputed domain name is not currently resolving to an active website. Accordingly, the disputed domain name is not used either for bona fide offering of goods or services or for a legitimate noncommercial or fair purposes.

Secondly, the Panel also concludes that the Respondent has not been commonly known by the disputed domain name. In this regard, the Panel notes that the name of the Respondent is “Resources Airalo”, and its organization is “Human Resources Airalo”, according to the response from the Registrar. For the following reasons, however, the Panel concludes that these names are not actual names of the Respondent and its organization.

First of all, the Panel notes that the Respondent has not responded to the Complaint. Secondly, the registration date of the Complainant’s Singaporean trademark registration predates the registration of the disputed domain name by about four and a half years, and, considering the Complainant’s business success achieved by the time of registration of the disputed domain name, the Respondent should have known the Complainant’s trademark before it registered the disputed domain name. Therefore, it is more probable than not that the Respondent chose its name and organization to cause confusion with the Complainant.

If the name of the Respondent and its organization were the actual names of them, it should have been quite easy to respond to the Complaint by showing that they are their actual names. Therefore, the Panel concludes that the Respondent has not been commonly known by the disputed domain name.

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.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. In this case, the Panel especially notes that the Respondent has not submitted a response to the Complaint. In the context of this case, silence of the Respondent supports the finding of bad faith in registration and use of the disputed domain name.

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 <hrrairalo.com> be transferred to the Complainant.

*/Keiji Kondo/*

**Keiji Kondo**

Sole Panelist

Date: July 30, 2025