

ADMINISTRATIVE PANEL DECISION

Vietnam Technological and Commercial Joint Stock Bank (TECHCOMBANK)
v. Ngoc Nam Hung Nguyen, Saigon Maison
Case No. D2025-2225

1. The Parties

The Complainant is Vietnam Technological and Commercial Joint Stock Bank (TECHCOMBANK), Viet Nam, represented by IPMAX Law Firm, Viet Nam.

The Respondent is Ngoc Nam Hung Nguyen, Saigon Maison, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <techcombuild.com> (“Disputed Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed in Vietnamese with the WIPO Arbitration and Mediation Center (the “Center”) on June 6, 2025. On June 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On June 10, 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 (Công ty TNHH Saigon Maison) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 25, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. On the same day, the Center informed the Parties in English and Vietnamese, that the language of the Registration Agreement for the Disputed Domain Name is English. The Complainant filed an amended Complaint in English on June 30, 2025.

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, and the proceedings commenced on July 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 22, 2025. The Respondent sent email communications on July 14, 21 and 25, 2025, the Center sent an email communication regarding the possible settlement on July 21, 2025. On July 25, 2025, the Complainant requested the Center to continue the proceedings. Accordingly, the Center notified the commencement of the panel appointment process on July 25, 2025.

The Center appointed Andrew Sim as the sole panelist in this matter on July 31, 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 a joint stock commercial bank of Viet Nam that operates in the field of monetary intermediation and financial services. It is currently one of the largest joint stock commercial banks in Viet Nam and one of the leading banks in Asia. In 2025, it became the only Vietnamese bank to be honored with a Gold Award in the “Multi-channel Marketing Innovation” category along with two Silver awards for brand development campaign and excellent marketing team. The Complainant’s official website is available at “www.techcombank.com”.

The Complainant is the owner of trademark registrations of TECHCOM and TECHCOMBANK (collectively referred as “the Marks”, and individually as “the Mark”), including: Vietnamese trademark number 258609 for TECHCOM, registered on February 26, 2016; and Vietnamese trademark number 55953 for TECHCOMBANK, registered on July 29, 2004. The Marks have been continuously used from 1993 to now. It also owns trademark registrations of both marks across various jurisdictions such as the United States of America, United Kingdom, European Union, Russian Federation, China, India, Republic of Korea, etc. through international trademark registrations and national registrations.

The Disputed Domain Name <techcombuild.com>, was registered on February 16, 2022.

At the date of filing the Complaint, the Disputed Domain Name resolves to an inactive webpage. According to the Complainant, the Disputed Domain Name previously resolved to a third-party website purportedly advertising construction services with a logo “Saigon Maison”. The Complainant attempted to resolve the issue by sending a warning letter to the Respondent on March 14, 2025. In response, the Complainant received an email from the Respondent on April 14, 2025, written in Vietnamese, in which the Respondent acknowledged ownership of the Disputed Domain Name and offered to sell it for VND 20,000,000 (approximately USD 770).

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.

The Complainant contends that the Disputed Domain Name is confusingly similar to the Marks. The Disputed Domain Name incorporates the entirety of the Mark TECHCOM, and the addition of the word “build”—a purely descriptive term related to construction services—does not eliminate the likelihood of confusion, especially since such services fall within the scope of the Mark’s protected classes. The “.com” suffix is also a generic Top-Level Domain (“gTLD”) and does not contribute any distinguishing element. The Disputed Domain Name is thus similar in structure and pronunciation to the Complainant’s domain name. With the fact that TECHCOM is a well-known mark and a commonly used abbreviation for the Complainant, there is a high likelihood that Internet users may be confused by the Disputed Domain Name.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name for the reasons below:

- (a) The Complainant has not given the Respondent any authorisation or permission to register or use its trademarks in any form. The Respondent has no legal relationship with any of the Marks;
- (b) The trademarks have been in continuous use by the Complainant since 1993 and are widely recognized, with trademark protection in Viet Nam secured since 2011;
- (c) In contrast, there is no evidence that the Respondent is commonly known by the Disputed Domain Name or that it is being used for any noncommercial purposes.

The Complainant finally contends that the Disputed Domain Name was registered and is being used in bad faith for the reasons below:

- (a) The Marks have been widely used and become very well-known among Vietnamese consumers. Given both the registrant individual and organisation are based in Viet Nam, it is inconceivable that they would be unaware of such well-known and protected Marks;
- (b) The Respondent previously published on the website content advertising construction services that are identical or closely related to services covered under Class 37, which are protected under the Complainant's TECHCOM trademark (Registration No. 258609). The Disputed Domain Name and the published content were clearly designed to create confusion among consumers that the Respondent is associated with and/or is an official service provider of the Complainant;
- (c) The Respondent expressed an intent to sell or transfer the Disputed Domain Name to the Complainant at an unreasonably high price;
- (d) Although the Disputed Domain Name is currently inactive, as noted above, it is inconceivable that the Respondent was unaware of the Complainant's well-known Marks or its status as a leading bank in Viet Nam. Accordingly, the current non-use does not negate the fact that the Disputed Domain Name was registered and used in bad faith.

B. Respondent

The Respondent asserts the following:

- (a) He possesses rights and legitimate interests in the Disputed Domain Name, which was lawfully registered, owned, and used in accordance with applicable laws and domain name regulations. He contests that the Complainant's demand for him to transfer the Disputed Domain Name without fair compensation is unjust and inconsistent with the principle of good faith in dispute resolution;
- (b) Regarding bad faith, he is not in the business of domain name trading. The acquisition and management of the Disputed Domain Name involved hiring IT professionals and incurring actual operational costs. The Complainant's demand for a domain name transfer without fair compensation is unjust and contrary to the principle of good faith;
- (c) Having sought legal advice, the Respondent contends that any transfer involving a well-known brand should be made to the rightful trademark owner, and he should not bear any future legal liability.

The Respondent requests the panel to continue review this matter thoroughly and objectively to ensure his rights and legitimate interests as a lawful registrant are fully protected.

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

The entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

A gTLD extension (".com") is added to the Disputed Domain Name. However, as a standard requirement of domain name registration, the gTLD may be disregarded in the comparison between the disputed domain name and the Mark. Accordingly, ".com" is disregarded for the present purpose. [WIPO Overview 3.0](#), section 1.11.

Although the addition of other term here, "build", 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 failed to rebut the Complainant's prima facie showing. The Respondent has not provided any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name such as those enumerated in the Policy or otherwise.

Particularly in regards to paragraph 4(c) of the Policy, the Panel finds that:

- (a) the Respondent has not used the Disputed Domain Name in connection with a bona fide offering of goods or services;
- (b) the Disputed Domain Name does not correspond with the Respondent's name nor organization (i.e., "Ngoc Nam Hung Nguyen" or "Saigon Maison"), and there is no evidence of the Respondent operating any business or organization with similar name as the Disputed Domain Name; and

(c) there is no evidence that the Respondent is using the Disputed Domain Name for the purpose of legitimate noncommercial or fair use.

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.

In the present case, the Panel notes that the Respondent has expressed an intention to sell or transfer the Disputed Domain Name to the Complainant for a price that exceeds the cost of the domain name's registration and maintenance. Such conduct of registering the Disputed Domain Name and offering it for sale to the Complainant at a profit clearly demonstrates the Respondent's bad faith and constitutes the situation as specified in paragraph 4(b)(i) of the Policy.

The Panel also finds the circumstances of registering and using the Disputed Domain Name clearly demonstrate the Respondent's bad faith and constitute the situation as specified in paragraph 4(b)(iv) of the Policy:

(a) the Marks have been widely and continuously used by the Complainant since 1993. The Mark TECHCOM has also been registered since 2016, several years before the Respondent's registration of the Disputed Domain Name which is confusingly similar to the Marks;

(b) taking into account the fact that the Respondent's Website previously published content advertising construction services that are identical or closely related to the Class 37 services protected under the Mark TECHCOM (Registration No. 258609), it is likely that the Respondent has actual knowledge of the Mark at the time of registering the Disputed Domain Name, and intentionally attempted to attract Internet users to his website for commercial gain by creating a likelihood of confusion with the Complainant;

(c) a presumption of bad faith is created from the fact that the Respondent, being an unaffiliated individual with the Complainant, registered the Disputed Domain Name which is confusingly similar to the famous Mark, without any possible justification or reasonable connection with the Respondent. [WIPO Overview 3.0](#), section 3.1.4; and

(d) the risk of confusion arises from the composition of the Disputed Domain Name.

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 reputation of the Complainant's Mark, 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.

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 <techcombuild.com> be transferred to the Complainant.

/Andrew Sim/

Andrew Sim

Sole Panelist

Date: August 14, 2025