

ADMINISTRATIVE PANEL DECISION

AirGSM Pte Ltd. v. Feaa Kfiaao

Case No. D2025-2264

1. The Parties

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

The Respondent is Feaa Kfiaao, Netherlands (Kingdom of the).

2. The Domain Name and Registrar

The disputed domain name <airalocontact.org> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 10, 2025. On June 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 13, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 13, 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 amendment to the Complaint on June 13, 2025 and an amended Complaint on June 16, 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 June 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 8, 2025.

The Center appointed Steven Auvil as the sole panelist in this matter on July 11, 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's business was incorporated in 2019 and is regarded as one of the world's leading providers 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. The Complainant conducts its business through its website <airalo.com> and through its software applications.

The Complainant owns Singapore trademark Registration No. 40201914330P for AIRALO, registered on December 19, 2019 and International trademark Registration No. 1701049 for the AIRALO, registered August 18, 2022.

According to the Complaint the disputed domain name was registered on September 10, 2024. The disputed domain name currently resolves to a non-active holding website and has active email accounts associated with the disputed domain name.

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 first contends that the disputed domain name is substantially similar to the Complainant's AIRALO mark in that the disputed domain name includes the entirety of the Complainant's mark with the addition of the term "contact". The Complainant contends that the addition of the term "contact" is perceived by consumers as a descriptive term, suggesting an official communication channel of the Complainant, rather than as an element that distinguishes the disputed domain name from the Complainant's AIRALO mark.

The Complainant next contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the Respondent does not own any registered rights in the Complainant's AIRALO mark, nor has the Complainant given consent to the Respondent to use the mark or register any domain name incorporating the Complainant's AIRALO mark. Further, the Complainant alleges that the disputed domain name does not resolve to an active website and that this evidences that the Respondent's lack of bona fide offering of goods or services.

Finally, the Complainant contends that the Respondent has registered and is using the disputed domain name in bad faith. The Complainant contends that the Respondent registered the disputed domain name to create a misleading connection to its AIRALO mark. The Complainant further notes the active email accounts associated with the disputed domain name, showing a substantial risk exists that the Respondent will use the disputed domain name to communicate with Internet users and deceive them as to an affiliation with the Complainant's business.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.” Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following to obtain relief:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or a service mark in which the Complainant has rights;
- (ii) that the 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.

In view of the Respondent’s failure to submit a Response, the Panel is entitled to accept as true the allegations set forth in the Complaint (unless the evidence is clearly contradictory), and to derive reasonable inferences from the evidence presented.

Based on the foregoing guidance, the Panel makes the following findings and conclusions based on the allegations and evidence contained in the Complaint, and reasonable inferences drawn from the evidence presented.

A. Identical or Confusingly Similar

It is well established 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. Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms, whether descriptive or otherwise, will not prevent a finding of confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.8. Additionally, as set forth in section 1.11.1 of the [WIPO Overview 3.0](#), the applicable generic Top-Level Domain (“gTLD”) (e.g., “.com”) is viewed as a standard registration requirement and as such is typically disregarded under the first element’s confusing similarity test. As such, the use of “.org” gTLD in the disputed domain name has no bearing on the confusing similarity analysis.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy as the Complainant owns a trademark for AIRALO. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name consists of the entirety of the Complainant’s AIRALO mark with the addition of the term “contact”. While the addition of the term “contact” 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; see also *The Commissioners for HM Revenue and Customs v. Yang Wang*, WIPO Case No. [D2025-0724](#).

The Panel therefore 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. Such circumstances include:

- (i) before any notice of the dispute, the Respondent used, or prepared to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services;

(ii) the Respondent (as an individual, business, or other organization) is commonly known by the disputed domain name, even if the Respondent has acquired no trademark or service mark rights; or

(iii) the Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or tarnish the trademark or service mark at issue.

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 the production of information that is often primarily within the knowledge or control of the respondent. Considering this difficulty, 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 Panel finds that none of the circumstances listed in paragraph 4(c) of the Policy apply. The Respondent did not respond to the Complaint and provide any evidence demonstrating rights or legitimate interests in the disputed domain name.

Under the circumstances, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name and therefore that the second element of paragraph 4(a) of the Policy is satisfied.

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 that, if found by the Panel to be present, is 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 concludes that the Respondent registered and used the disputed domain name in bad faith.

The disputed domain name incorporates the entirety of the Complainant's registered and well-known AIRALO mark with the exception of adding the term “contact”. Although the disputed domain name does not resolve to an active website, panels have consistently held that non-use — including the display of a blank or “coming soon” page — does not preclude a finding of bad faith under the doctrine of passive holding. Furthermore, there is evidence of active email accounts associated with the disputed domain name. The Panel finds that the existence of active email accounts increases the risk that the Respondent could use the disputed domain name to contact the Complainant's customers and deceive Internet users as to the Respondent's affiliation with the Complainant for illicit gain. See *Minerva S/A v. Chang Choi Case*, WIPO Case No. [D2022-1425](#).

Considering these circumstances, including the failure of the Respondent to respond to the Complaint, the Panel finds that the Respondent knew of the Complainant's AIRALO mark at the time of registering the disputed domain name and used the disputed domain name to unfairly capitalize on the Complainant's AIRALO mark.

The Panel therefore concludes that the disputed domain name was registered and is being used in bad faith 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 <airalocontact.org> be transferred to the Complainant.

/Steven Auvil/

Steven Auvil

Sole Panelist

Date: July 25, 2025