

ADMINISTRATIVE PANEL DECISION

AirGSM Pte. Ltd. v. Hoai Nam Nguyen

Case No. D2025-2858

1. The Parties

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

The Respondent is Hoai Nam Nguyen, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <airaloemis.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 18, 2025. On July 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 18, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 21, 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 July 21, 2025, and an amended Complaint on July 24, 2025.

The Center verified that the Complaint together with the amendment to the Complaint and 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 14, 2025. The Respondent sent an email communication to the Center on July 22, 2025, which was replied to by the Center on July 23, 2025. The Center informed the Parties about the commencement of panel appointment process on August 15, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on August 20, 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. The Complainant is a provider of digital SIM (“eSIM”) cards, having as consumers travelers who purchase the Complainant’s products when travelling to a country where the consumers do not reside and do not own a local SIM card.

On July 11, 2025, the Complainant was depicted in the press for having received Series C funding of USD 220 million, resulting in the Complainant surpassing a valuation of USD 1 billion and becoming a “unicorn”.

The Complainant’s main website is available at “www.airalo.com” and the Complainant is the owner of the following, amongst other, trademark registrations:

- Singapore Trademark Registration No. 40201914330P for the word and device mark AIRALO, registered on July 3, 2019, in classes 9, 35 and 38; and
- International Trademark Registration No. 1701049 for the word and device mark AIRALO, registered on August 18, 2022, in classes 9, 35 and 38.

The disputed domain name was registered on February 19, 2025, and presently does not resolve to an active webpage. The Complainant provided evidence that prior the filing of the Complaint the disputed domain name resolved to a website offering a broad range of goods, including travel mugs, for sale.

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 asserts to be the world’s leading provider of eSIM cards, providing its services to over 20 million customers in over 200 countries; presently employing over 200 people, spread over 44 countries and 6 continents. The Complainant further asserts to have enjoyed astronomical growth in a short space of time, presently enjoying a global reputation under its AIRALO trademark.

The Complainant submits that the disputed domain name bears a high degree of similarity to the Complainant’s marks, as it reproduces the distinctive verbal element of the Complainant’s AIRALO trademark with the addition of the letters “emis”, which, under the Complainant’s view, is a deliberate misspelling of “eSIM”.

Regarding the absence of the Respondent’s rights or legitimate interests, the Complainant argues that:

- i. the Respondent does not own any registered rights in a trademark for “AIRALO”;
- ii. the AIRALO trademark is a coined term, being inherently distinctive and carrying no descriptive connotations;
- iii. the Complainant has not given consent to the Respondent to register a domain name that incorporates its distinctive trademark; and

iv. in the past, the disputed domain name resolved to a website that advertised a broad range of goods for sale, including travel mugs (Annex 4 to the Amended Complaint), thus creating an affiliation with the Complainant's rights, for commercial gain, which cannot constitute a bona fide or noncommercial use as defined by the Policy.

Lastly, the Complainant submits that the composition of the disputed domain name implies that the Respondent had the Complainant's well-known trademark in mind when registering it. Furthermore, the present inactive use of the disputed domain name amounts to the passive holding of the disputed domain name.

B. Respondent

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

On its informal message to the Center of July 22, 2025, the Respondent requested the full details of the Complaint, including the identity of the Complainant and the specific grounds of the proceeding in order to prepare an appropriate response. No further communication was received from the Respondent.

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth three requirements, which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

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

The Complainant must prove in this administrative proceeding that each of the aforesaid three elements is present in order to obtain the transfer of the disputed domain name.

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. Although the addition of other terms, "emis", 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.

In that sense, and according to the evidence submitted, the Complainant has made a prima facie case against the Respondent who has not been commonly known by the disputed domain name and has neither received consent to register a domain name that incorporates a coined and distinctive trademark.

Also, the lack of evidence as to any trademarks registered by the Respondent corresponding to the disputed domain name, corroborates the indication of an absence of rights or legitimate interests in the disputed domain name.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain name.

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

C. Registered and Used 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.

This case presents the following circumstances which indicate under the balance of probabilities bad faith registration and use of the disputed domain name:

- a) the composition of the disputed domain name consisting of the reproduction of the Complainant’s well-known trademark with a misspelling of the Complainant’s eSIM product (previous UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith). [WIPO Overview 3.0](#), section 3.1.4;
- b) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the disputed domain name;
- c) the past commercial use and the present inactive use of the disputed domain name;
- d) the indication of what appears to be false contact details by the Respondent, not having the Center been able to deliver the Written Notice to it; and
- e) the Respondent’s choice to retain a privacy protection service in an attempt to conceal its identity.

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 <airaloemis.com> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: August 25, 2025