

ADMINISTRATIVE PANEL DECISION

Uber Technologies, Inc. v. Somar Jamal, Jack Jamal, Uber-assist Inc.
Case No. D2026-3924

1. The Parties

The Complainant is Uber Technologies, Inc., United States of America ("United States" or "U.S."), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondents are Somar Jamal and Jack Jamal, Uber-assist Inc., Canada.

2. The Domain Names and Registrar

The disputed domain names <remorquageuber.com> and <uber-assist.com> (the "Domain Names") are registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 2, 2026. On September 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On September 2, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (Somar Jamal) and contact information in the Complaint.

The Center sent an email communication to the Complainant on September 4, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all Domain Names are under common control. The Complainant filed an amendment to the Complaint on September 5, 2026.

The Center verified that the Complaint together with the amendment to 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 September 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 30, 2026.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on October 2, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a technology platform company that offers movement of people and things. The Complainant develops and operates proprietary technology applications. Among other things, the Complainant connects consumers with independent drivers and connects consumers with restaurants, grocers and other stores with service providers for meal preparation, grocery and delivery services. The Complainant's technology is currently available in more than 70 countries, including Canada where the Respondent is purportedly situated. The Complainant and its subsidiaries have approximately 34,000 employees globally and operations in more than 15,000 cities around the world. As of the year ending 2025, the Complainant had around 202 million monthly active platform consumers and revenue of USD 52 billion. The Complainant offers a service in Canada since 2016 known as "Uber Assist", which provides extra assistance to people with different accessibility needs.

The Complainant is the owner of numerous trademark registrations in some 90 jurisdictions worldwide that consist of or include the mark UBER, for example U.S. Reg. No. 3,977,893 (registered June 14, 2011) and Canada Reg. No. TMA935075 (registered April 18, 2016). The Complainant owns numerous domain names, such as <uber.com> (acquired by the Complainant in 2011), <ubereats.com>, <uberhealth.com>, <uberone.com> and <uberfreight.com>, all registered before the Respondents' Domain Names.

The Domain Name <uber-assist.com> was registered on July 30, 2025, and the Domain Name <remorquageuber.com> was registered on March 22, 2026. The Complainant documents that the Domain Names have redirected to the same website that uses the Complainant's trademark/logo to advertise towing and roadside assistance services in Canada. The website contains a disclaimer at the bottom of the page.

5. Parties' Contentions

A. Complainant

The Complainant argues that the Domain Names are under common control of the same person or entity. The last name of the Registrant Name for both Domain Names is the same. The post and e-mail address for both Domain Names are the same. Both Domain Names were registered at the same registrar and contain the same nameservers. Both Domain Names redirect to the same website (the website for the disputed domain name <uber-assist.com>).

The Domain Names contain the Complainant's UBER trademark plus the word "remorquage" (French for "towing") or a hyphen and the descriptive word "assist". Thus, the Domain Names are confusingly similar to the Complainant's trademark. Inclusion of descriptive words and a hyphen do nothing to mitigate confusing similarity. Accordingly, the Complainant argues inter alia under the first element that the Domain Names are confusingly similar to its trademark.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Names. The Respondent has no authorization, license, business relationship, or permission from the Complainant to use the Complainant's trademarks. There is no evidence that the Respondent has been commonly known by the Domain Names. There is also no evidence that the Respondent used, or made demonstrable preparations to use, the Domain Names in connection with a bona fide offering of goods or services before notice of this dispute. Using the Domain Names in connection with a website to advertise towing and roadside assistance services with a nearly identical version of the Complainant's UBER logo, is clearly not bona fide offering, as it misleadingly diverts consumers under the doctrine of "initial interest confusion".

The Complainant argues inter alia that by using the Domain Names as described above, the Respondent is intentionally "creating a likelihood of confusion" with the Complainant and its trademark for the Respondent's commercial gain. The mere existence of a disclaimer cannot cure such bad faith, see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 3.7. On the contrary, the Respondent's use of a disclaimer is an admission that users may be confused. Even if consumers later learned that the Respondent's website is not actually associated with Complainant, this would in no way diminish the likelihood of confusion that initially arose, because the deliberate creation of initial interest confusion by the Respondent in competition with the Complainant is an archetypical example of bad faith registration and use. Moreover, the Complainant documents actual confusion as customers have contacted Complainant believing that the Respondent's website was associated with the Complainant.

B. Respondent

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

6. Discussion and Findings

6.1. Preliminary Issue: Consolidation of Respondents

The Complaint was filed in relation to nominally different domain name registrants. The Complainant argues that the domain name registrants are the same entity or under common control. The Complainant requests consolidation of the disputes against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules. Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder. In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See [WIPO Overview 3.1](#), section 4.11.2.

As regards the common control, the Panel notes that the Domain Names appear to similarly target the Complainant. The Registrants' last names and the post and e-mail address for the Domain Names are the same. Both Domain Names were registered at the same registrar and contain the same nameservers. Importantly, the Domain Names redirect to the same website. This strongly indicates that the Domain Names are under common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. The different domain name registrants have not objected to the Complainant's consolidation request.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different Domain Name registrants (referred to as "the Respondent") in a single proceeding.

6.2. Substantive Issues

A. Identical or Confusingly Similar

The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the Domain Names. See [WIPO Overview 3.1](#), section 1.7.

The Complainant has established registered trademark rights in UBER. The Domain Names incorporate the Complainant's trademark, plus the word "remorquage" (French for "towing") or the word "assist" with a hyphen. The additions do not prevent a finding of confusing similarity between the Domain Names and the trademark. For the purpose of assessing the confusing similarity under paragraph 4(a)(i) of the Policy, the Panel may disregard the Top-Level Domains. See [WIPO Overview 3.1](#), section 1.11.

Based on the available record, 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. While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.1](#), section 2.1.

Having reviewed the record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Domain Names. The Respondent has not rebutted the Complainant's showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Names. The Respondent is not affiliated with or related to the Complainant. There is no evidence that the Respondent has registered the Domain Names as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of the Domain Names or names corresponding to the Domain Names in connection with a bona fide offering of goods or services. The Respondent's use, as described above, is evidence of bad faith, see below.

Based on the available record, 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.

The composition and use of the Domain Names strongly indicate that the Respondent was aware of the Complainant when the Respondent registered them. By using the Domain Names as described above, the Respondent is intentionally creating a likelihood of confusion with the Complainant and its trademark for the Respondent's commercial gain. The disclaimer does not cure the initial confusion created by the Respondent, as supported by the evidence of third party confusion provided by the Complaint. See [WIPO Overview 3.1](#), section 3.7.

For the reasons set out above, the Panel concludes that the Domain Names were registered and are being used in bad faith, within the meaning of paragraph 4(a)(iii) of the Policy.

The third element of the Policy has been established.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders the Domain Names <remorquageuber.com> and <uber-assist.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: October 9, 2026