

ADMINISTRATIVE PANEL DECISION

Tempcover Ltd v. khuram akram

Case No. DCO2025-0015

1. The Parties

The Complainant is Tempcover Ltd, United Kingdom, represented by Venner Shipley LLP, United Kingdom.

The Respondent is khuram akram, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <tempcovernow.co> (the “Disputed Domain Name”) is registered with eNom, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 24, 2025. On February 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On February 25, 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 FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 26, 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 amended Complaint on March 3, 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 March 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 24, 2025. The Respondent sent an email communication to the Center on March 5, 2025. Pursuant to paragraph 6 of the Rules, on March 25, 2025, the Center informed the Parties that it would proceed with the panel appointment process.

The Center appointed Nick J. Gardner as the sole panelist in this matter on March 28, 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, originally launched in 2006 as Temporary Cover Ltd, offers drivers flexible vehicle insurance for short periods of time. In 2010, "Temporary Cover" was rebranded to TEMPCOVER.COM, and the Complainant has operated under the trademark TEMPCOVER since then. By 2013, the Complainant had sold over 1 million policies in the United Kingdom and in 2016 it celebrated its 10th birthday by selling its 2 millionth policy.

The Complainant owns the following trademark registrations in the United Kingdom ("UK"):

UK trademark registration no 2515637 for TEMPCOVER.COM registered for insurance services since December 4, 2009; and

UK trademark registration no 3399923 for TEMPCOVER (device mark) registered for insurance services since August 16, 2019.

These trademarks are referred to as the TEMPCOVER trademark in this decision.

The Disputed Domain Name was registered on January 28, 2025, and resolves to a website (the "Respondent's Website") that purports to offer competing short term vehicle insurance services using the mark TEMPCOVER including as part of its masthead. In several places, the Respondent's Website prompts users to insert private personal information. The Respondent attempted to add legitimacy to its site by falsely mentioning the name and address of a third party regulated financial entity in the UK, namely Fast Track Cover Limited, on its site. A second entity, namely Montgomery Kent Insurance Brokers Limited, was also falsely identified as being associated with the Disputed Domain Name on the Respondent's Website. The Financial Conduct Authority ("FCA") in the UK has identified the entity behind the Disputed Domain Name as a "clone firm" which should not be dealt with.

An earlier UDRP case against the Respondent involved the domain name <tempcovernow.com> - see *Tempcover Ltd v. Khuram Akram*, WIPO Case No. [D2024-4994](#) and concerned essentially the same facts as the present case and was decided in the Complainant's favour.

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 it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

In particular, the Complainant contends that:

The Complainant is the owner of the TEMPCOVER.COM and TEMPCOVER marks registered in the UK as set out above.

The Disputed Domain Name registered in 2025 is confusingly similar to the Complainant's marks fully incorporating them and adding the descriptive term "now".

The Respondent is not authorised by the Complainant or commonly known by the Disputed Domain Name and does not have any rights or legitimate interests in the Disputed Domain Name. The Disputed Domain Name points to a site that purports to offer competing services to cause confusion and impersonate the Complainant. The Respondent's Website also takes private personal information from users. This is not a bona fide offering of goods or services or a noncommercial legitimate or fair use. It is registration and use in bad faith confusing Internet users and disrupting the Complainant's business. The statements of the FCA that the Respondent is a "clone firm" and the attempts by the Respondent to associate itself falsely with other third-party insurance and financial companies also demonstrates a lack of legitimate interests and bad faith.

The Complainant also draws attention to previous successful UDRP complaints it has filed in relation to the domain names <tempcovernowpolicyvalidator.org> and <tempcover-now.com> (see consolidated decision *Tempcover Ltd v. Tempcover now*, WIPO Case No. [D2024-5188](#)). It says this decision likely also involves the Respondent as being responsible for the activities in question.

B. Respondent

No formal Response has been filed. On March 5, 2025, the Respondent sent an email to the Center which read as follows "Hi we disagree to the matter the domain tempcovernow has no affiliation with tempcover.com Could the complainant provide a court document to proof they own the trademark of tempcovernow.co". The Panel does not regard this email as a proper response to the detailed matters raised in the Complaint. Nevertheless, the Panel will take the contents of this email into its consideration (see below).

6. Discussion and Findings

Preliminary Matters

The Panel notes that no formal Response has been filed. The Respondent is however clearly aware of the Complaint (see above). Given the Complaint and Written Notice were sent to the relevant addresses disclosed by the Registrar, then the Panel considers that this satisfies the requirement in paragraph 2(a) of the Rules to "employ reasonably available means calculated to achieve actual notice". Accordingly, the Panel considers it is able to proceed to determine this Complaint and to draw inferences from the Respondent's failure to file a formal Response. Nevertheless, the Panel will take the contents of the Respondent's email of March 5, 2025, into its consideration.

Substantive Matters

Paragraph 4(a) of the Policy states that the Complainant must prove each of the three following elements in respect of the Disputed Domain Name:

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

A. Identical or Confusingly Similar

The Panel finds that the Complainant has rights in the TEMPCOVER trademark.

The Panel finds the Disputed Domain Name is confusingly similar to the TEMPCOVER trademark. It does not matter that some of the Complainant's trademarks are device marks as they all prominently feature the

term “TEMPCOVER”. Similarity between a domain name and a device mark which includes words or letters is a readily accepted principle where the words or letters comprise a prominent part of the trademark in question – see for example *EFG Bank European Financial Group SA v Jacob Foundation* WIPO Case No. [D2000-0036](#) and *Sweeps Vacuum & Repair Centre, Inc. v Nett Corp* WIPO Case No. [D2001-0031](#).

Previous UDRP panels have consistently held that domain names are identical or confusingly similar to a trademark for purposes of the Policy “when the domain name includes the trademark, or a confusingly similar approximation, regardless of the other terms in the domain name” (*Wal-Mart Stores, Inc. v. Richard MacLeod d/b/a For Sale*, WIPO Case No. [D2000-0662](#)). It is established that, where a mark is recognizable within the disputed domain name, the disputed domain name is considered to be confusingly similar to the mark (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”) at section 1.7).

It is also established that the addition of a term (such as here “now”) to a disputed domain name would not prevent a finding of confusing similarity between the domain name and the mark ([WIPO Overview 3.0](#) at section 1.8).

It is also well established that the Top-Level Domain (“TLD”), in this case “.co”, is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. See [WIPO Overview 3.0](#) at section 1.11.

There is no requirement that the Complainant has to show trademark rights in the precise string that makes up the Disputed Domain Name (i.e., “tempcovernow.co”). The Respondent’s email of March 25, 2025 (see above) appears to be based on a misunderstanding of the Policy.

Accordingly, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant’s trademark and hence the first condition of paragraph 4(a) of the Policy has been fulfilled.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy non-exhaustively lists three circumstances that demonstrate a right or legitimate interest in the Disputed Domain Name:

- i. before any notice to you of the dispute, your use of, or demonstrable preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
- ii. you (as an individual, business or other organisation) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or
- iii. you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

None of these apply in the present circumstances. The Complainant has not authorised, licensed, or permitted the Respondent to register or use the Disputed Domain Name or to use the TEMPCOVER trademark. The Complainant has prior rights in the TEMPCOVER trademark which precede the Respondent’s registration of the Disputed Domain Name. The Complainant has therefore established a prima facie case that the Respondent has no rights or legitimate interests in the Disputed Domain Name and thereby the burden of production shifts to the Respondent to produce evidence demonstrating rights or legitimate interests in respect of the Disputed Domain Name (see for example *Do The Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#); *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#)). 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.

The Panel finds that the Respondent has failed to produce any evidence to establish any rights or legitimate interests in the Disputed Domain Name. Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the Disputed Domain Name and the second condition of paragraph 4(a) of the Policy has been fulfilled.

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.

Panels have held that the use of a domain name for illegal activity here, claimed phishing and impersonation/passing off constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the Disputed Domain Name constitutes bad faith under the Policy.

The Respondent's conduct appears to be simply a continuation of the conduct that was the subject of *Tempcover Ltd v. Khuram Akram* WIPO Case No. [D2024-4994](#) concerning the domain name <tempcovernow.com>. The Panel notes the Disputed Domain Name was registered a few days after that decision was given. The Panel infers this was part of a strategy by the Respondent to carry out his activities targeting the Complainant and its customers. The Panel considers that the same conclusions follow in the present case as applied in the previous decision. Given this finding the Panel does not find it necessary to reach a conclusion on whether the previous cases concerning <tempcovernowpolicyvalidator.org> and <tempcover-now.com> (see consolidated decision D2024-5188) also involve the Respondent.

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 <tempcovernow.co> be transferred to the Complainant.

/Nick J. Gardner/

Nick J. Gardner

Sole Panelist

Date: April 11, 2025