

## **ADMINISTRATIVE PANEL DECISION**

AirGSM Pte. Ltd. v. Nga Tran  
Case No. DIO2025-0017

### **1. The Parties**

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

The Respondent is Nga Tran, Viet Nam.

### **2. The Domain Name and Registrar**

The disputed domain name <airaloesim.io> is registered with Sav.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2025. On May 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 13, 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 May 20, 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 May 23, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the “Policy”), the Rules for .IO Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .IO 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 May 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 15, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 17, 2025.

The Center appointed Beatrice Onica Jarka as the sole panelist in this matter on June 27, 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 trades under the name "Airalo".

Since 2019 it has enjoyed aggressive growth 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 six continents.

It conducts its business primarily through its core website, found at "www.airalo.com", and its AIRALO-branded software applications.

The Complainant is the holder of a global portfolio of trade mark rights for its AIRALO logo. Among its growing trade mark portfolio (currently at around 155 applications or registrations) are the following:

- Singapore Trade mark Registration No. 40201914330P for the AIRALO logo, filed on July 3, 2019 and registered on December 19, 2019, protecting: Class 9: Software and applications for mobile devices. Class 35: Online retail services. Class 38: Telecommunications.
- International Trade mark Registration No. 1701049 for the AIRALO logo, registered on August 18, 2022, with protection extended to inter alia Australia, Canada, Indonesia, Japan, Thailand, the European Union, the United States of America, and Viet Nam. It protects the same goods and services as the above Singaporean registration, upon which it is based.

The Respondent is reportedly an individual Nga Tran, located in Viet Nam.

The Respondent registered the disputed domain name on December 21, 2024.

The disputed domain name resolves to a website purportedly operated by "Airalo esim" that displays a logo "Airalo esim" and offers digital SIM cards 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 contends that:

- The Complainant has enjoyed astronomical growth in a short space of time and enjoys a global reputation under its AIRALO trade mark.
- The disputed domain name is similar to the Complainant's rights; it replicates the distinctive verbal element of the Complainant's trade mark, AIRALO, and adds the descriptive term "esim".
- To the best of the Complainant's knowledge, the Respondent does not own any registered rights in a trade mark for "Airalo" or "Airalo eSIM".
- The term "Airalo" is a coined term, which is inherently distinctive and carries no descriptive connotations.

- The Complainant has not given consent to the Respondent to register domain names that incorporate its distinctive trade mark, AIRALO.
- The disputed domain name resolves to a website that poses as the Complainant's business and that offers digital SIM cards for sale.
- The Respondent markets itself as "Airalo eSIM" in a manner that deliberately misleads Internet users into believing that the digital SIM cards offered for sale through the disputed domain name originate from the Complainant. The website *contains* no information that would inform Internet users otherwise. Such use cannot constitute legitimate interests or a bona fide noncommercial use of the disputed domain name.
- The Respondent registered and uses the disputed domain name in bad faith. The Whois details provided confirm that the disputed domain name was registered in December 2024, around five years after the Complainant filed its Singaporean trade mark registration for its AIRALO logo.
- The Complainant enjoyed substantial success before the Respondent chose to register the domain name. At the very least, the Respondent should have been aware of the Complainant's business when registering the domain name.
- It is implausible that the Respondent did not have the Complainant's business in mind when the disputed domain name was registered.
- There can be no other reasonable explanation for doing so, other than to divert customers from the Complainant's very successful business.

## **B. Respondent**

Although procedurally summoned, the Respondent did not reply to the Complainant's contentions.

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

The Panel considers, that the disputed domain name incorporates the entirety of the trade mark AIRALO with the addition of the descriptive term "esim", the mere addition of another term does not prevent a finding of confusing similarity.

Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy ([WIPO Overview 3.0](#), section 1.7), and the Panel finds that 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. Although being procedurally notified of the Complaint, the Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel notes that the composition of the disputed domain name is inherently misleading.

The Panel further notes that the disputed domain name resolves to a website that displays a logo "Airaloesim" (thus juxtaposing the Complainant's mark with the term "esim") offers digital SIM cards for sale. From the website under the disputed domain name, it appears that the Respondent markets itself as "AIRALOESIM" in a manner that deliberately misleads Internet users into believing that the digital SIM cards offered for sale through the website at the disputed domain name originate from the Complainant. The website contains no information that would inform Internet users otherwise. Such use of the disputed domain name does not create bona fide offering of goods or services.

These elements combined affirm the Respondent's intention of misleading Internet users into believing that the disputed domain name belongs to the Complainant.

Accordingly, the Panel finds the second element of the Policy has been established.

### **C. Registered or Used in Bad Faith**

It is well established by UDRP practice, that paragraphs 4(a)(iii) and 4(b) of the Policy indicate 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 a number of circumstances which indicate that that the Respondent targeted the Complainant and its trade mark AIRALO.

Notably,

- the disputed domain name resolves to a website that uses the Complainant's trade mark and offers identical goods, namely digital SIM cards;
- the Respondent markets itself as "AIRALOESIM" in a manner that deliberately misleads Internet users into believing that the digital SIM cards offered for sale through the website at the disputed domain name originate from the Complainant;
- the website contains no information that would inform Internet users otherwise;
- the disputed domain name was registered in December 2024, around five years after the Complainant filed its Singaporean trade mark registration for its AIRALO logo; and
- the Complainant enjoyed substantial success before the Respondent chose to register the disputed domain name.

Based on such indicative circumstances, the Panel concludes that the Respondent has registered and used the disputed domain name only for the purpose of unfairly attracting Internet users to the Respondent's website and to divert customers from the Complainant's business.

Accordingly, 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 <airaloesim.io> be transferred to the Complainant.

*/Dr. Beatrice Onica Jarka/*

**Dr. Beatrice Onica Jarka**

Sole Panelist

Date: July 6, 2025