

ADMINISTRATIVE PANEL DECISION

Property Finder IP Holding Limited v. AKRAM UL MEHMOOD
Case No. DME2025-0005

1. The Parties

The Complainant is Property Finder IP Holding Limited, United Arab Emirates , represented by Audiri Vox Intellectual Property Rights Management, United Arab Emirates.

The Respondent is AKRAM UL MEHMOOD, United Arab Emirates, self-represented.

2. The Domain Name and Registrar

The disputed domain name <propertyfinder.me> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 17, 2025. On March 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 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 (Domains by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 19, 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 20, 2025.

On March 19 and 20, 2025, the Respondent submitted email communications to the Center.

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 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2025. Pursuant to the Respondent’s request for a further extension to file a Response, the Center in accordance with paragraph 5(b) of the Rules granted an extension of the Response due date until April 14, 2025. The Respondent sent email communications to the Center on April 11, 14 and 15 2025. The Response was filed with the Center on April 14, 2025.

The Complainant filed an unsolicited supplemental filing on April 14, 2025. On April 19, 2025, the Respondent submitted a document entitled Objection and Clarification in reply to the Complainant's unsolicited supplemental filing.

The Center appointed Warwick A. Rothnie, Nayiri Boghossian and Mathias Lilleengen as panelists in this matter on May 9, 2025. The Panel finds that it was properly constituted. Each member of 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.

On May 21, 2025, the Panel issued Procedural Order No 1 pursuant to paragraph 12 of the Rules. In Procedural Order No 1, the Panel invited the Respondent to clarify when he became the registrant of the disputed domain name and also when he started his real estate business. Procedural Order No 1 also authorised the Complainant to file a supplemental filing in answer. The circumstances motivating the Panel Order were that the Whois report states that the disputed domain name was registered on July 21, 2008 but Wayback Machine captures showed the disputed domain name being offered for sale on December 11, 2021 and the first capture showing use in respect of a real estate business on April 23, 2024.

The Respondent did not submit a supplemental filing pursuant to Procedural Order No 1. The Complainant, however, did submit a supplemental filing. Although he had not taken advantage of the invitation in Procedural Order No 1, the Respondent objected to the Complainant's supplemental filing and requested an opportunity to address it. In the circumstances, the Panel issued Procedural Order No 2 on June 6, 2025 affording the Respondent an opportunity to submit a supplemental filing by June 13, 2025. The Respondent submitted a supplemental filing on June 13, 2025.

4. Factual Background

The Complainant, incorporated in the United Arab Emirates, is the Intellectual Property holding company of an online real estate advertising business. The Respondent is also based in the United Arab Emirates and also operates an online real estate advertising business.

According to a news report in the *Guardian* newspaper included in the Complaint, an online real estate advertising portal at "www.propertyfinder.com" was launched in 1995.¹ (The Respondent points out that the Wayback Machine does not include captures dating back to 1995. The Wayback Machine does record, however, captures from 1998. Until July 27, 2004,² the captures recorded are infrequent and do not display any content. The capture on July 27, 2004 records a website claiming to be "the all-new propertyfinder website" featuring 75,000 properties from the [United Kingdom's] most progressive agents." The copyright notice is "Copyright © 1995 – 2004 Internet Property Finder Ltd all rights reserved".)

In November 2005, the *Guardian* article reported that News International and realestate.com.au Ltd acquired the business operating "www.propertyfinder.com" for GBP 14 million. At that time, the website was reported to be offering 200,000 properties in the United Kingdom for sale or rent and being visited by more than 700,000 viewers each month.

In October 2007, the (now) REA Group incorporated Propertyfinder FZ-LLC in Dubai. Shortly after this, in November 2007, the REA Group announced that it had acquired an online real estate advertising business in Dubai for GBP 1 million and immediately relaunched it as "www.propertyfinder.ae", "taking the name from "propertyfinder.com".

¹ Stephen Brook, 'News International buys property website', the *Guardian*, November 2, 2005.

² <https://web.archive.org/web/20040727042112/http://www.propertyfinder.com:80/2/pf/home.do>

The disputed domain name was registered on July 21, 2008. By that time, the “www.propertyfinder.com” website was reported to have 1.1 million unique users per month and 16 million monthly page views.

On February 10, 2015, PropertyFinder FZ LLC registered four trademarks in the United Arab Emirates for PROPERTY FINDER. For present purposes, it is sufficient to mention:

- (a) Registered Trademark No 212894 for advertising services in International Class 35; and
- (b) Registered Trademark No 212895 for, amongst other things, real estate services in International Class 36.

The applications for these trademarks were filed in June 2014.

On October 10, 2018, the Complainant was incorporated in Dubai. It is now recorded as the registered owner of the above registered trademarks and the domain name <propertyfinder.ae>.

According to the Complaint, the Complainant has since its incorporation subsequently obtained registered trademarks for PROPERTY FINDER in Kuwait and Lebanon and a “logo” version:



For example, the United Arab Emirates Registered Trademark Nos 306346 and 306347 registered on May 23, 2019 for, respectively, advertising services and real estate services. The Complainant also claims to have corresponding registrations in Algeria, Bahrain, Egypt, Türkiye, Oman, Qatar and Saudi Arabia and versions in Arabic in Algeria, Bahrain, Egypt, Jordan, Lebanon, Qatar, Saudi Arabia and Tunisia. The applications for these registered trademarks were filed in February 2019.

As noted above, according to the Whois Report the disputed domain name was registered on July 21, 2008.

It currently resolves to a website advertising real estate properties for sale or for rental in the United Arab Emirates, Oman, Qatar, Bahrain, Kuwait, Saudi Arabia, Türkiye and Cyprus. The header bar for the website features adjacent to a rotating panel “Place your ad here” a “logo” in the following form:



Hovering over the website in a browser bar generates a pop-up box:



As noted above, however, the earliest capture of the website by the Wayback Machine was on December 11, 2021 when the disputed domain name resolved to a website offering the disputed domain name for sale for EUR 800.³

In January 2023, the Respondent incorporated Property Finder Sdn Bhd in Malaysia and then Property Finder Pte Ltd in Singapore.

³ <https://web.archive.org/web/20211211104833/http://propertyfinder.me/>

In March 2023, Property Finder Pte Ltd applied to register TM 42023525197V, PROPERTY FINDER, in Singapore in respect of services in International Class 36.

In August and September 2023, Property Finder Sdn Bhd applied to register:



- (a) Malaysia – No TM2023026009;
- (b) Indonesia – No IDM001208283
- (c) the Philippines – No 42023525197;
- (d) the State of Idaho in the United States of America – File No 032341; and
- (e) in January 2024, Viet Nam – No 4-2024-00751.

At this stage, the Indonesian and State of Idaho marks are registered. The other applications remain pending.

On January 4, 2024, the Respondent registered Property Finder.ME (FZE) in Sharjah, United Arab Emirates for real estate advertising and related services. According to the Respondent's supplemental filing on June 13, 2025, the Respondent commenced his real estate business through that company on January 24, 2025. The Respondent also uploaded the contents of the business' website in April 2024. Further, the first capture by the Wayback Machine of the website offering real estate services was on April 23, 2024.⁴

In addition to the disputed domain name, the Respondent states he has websites operating at:

- (1) "www.propertyfinder.sg";
- (2) "www.propertyfinder.my";
- (3) "www.propertyfinder.ph";
- (4) "www.propertyfinder.kr";
- (5) "www.propertyfinder.co.th";
- (6) "www.propertyfinder.bn";
- (7) "www.propertyfinder.tw";
- (8) "www.propertyfinder.id"; and
- (9) "www.propertyfinder.vn".

The Response does not indicate when these domain names were registered, However, a Whois search undertaken by the Panel disclosed that the .sg domain name was registered in January 2023; the .id and .kr domain names were registered in March 2023; the .co.th and .tw domain names in September 2023 and the .bn domain name in September 2024.

⁴ <https://web.archive.org/web/20240423101443/https://propertyfinder.me/>

From the records before the Panel, it appears that the registration of the Respondent's company Property Finder.ME (FZE) in Sharjah, United Arab Emirates expired on January 3, 2025.

5. Discussion and Findings

First, the Respondent contends that there is no jurisdiction to hear the Complaint as both he and the Complainant are based in and carrying on business in the United Arab Emirates. So, the Respondent contends, only the courts in the United Arab Emirates have jurisdiction over the dispute.

That argument cannot be accepted. By clause 6 of the Registration Agreement by which the Respondent registered the disputed domain name, he agreed to be bound by the Policy which was incorporated into and made part of the registration agreement. Accordingly, the Respondent has voluntarily submitted to the dispute resolution process under the Policy.

As paragraph 4(k) of the Policy makes clear, however, that submission is without prejudice to either party's rights to bring proceedings in a court of competent jurisdiction.

As the Panel concludes that the Policy is applicable, paragraph 4(a) of the Policy provides that in order to divest the Respondent of the disputed domain name, the Complainant must demonstrate each of the following:

- (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.

In addition, paragraph 15(a) of the Rules directs the Panel to decide the 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.

A. Supplemental filings

Apart from documents requested by the Panel pursuant to paragraph 12 of the Rules, neither the Policy nor the Rules expressly provide for supplemental filings. Their admissibility is therefore in the discretion of the Panel bearing in mind the requirements under paragraph 10 of the Rules to ensure that the proceeding is conducted with due expedition and both parties are treated equally, with each party being given a fair opportunity to present its case.

In the present case, the Complainant's first supplemental filing does seek to address or correct allegations made in the Response and, in those circumstances, the Panel admits it into the record in this proceeding. In the interests of fairness, therefore, the Panel also admits the Respondent's reply.

The Panel also admits the parties' respective second supplemental filings into the record. Although the Respondent failed to take up the invitation extended to him in Procedural Order No 1, the Panel considered it important to give him an opportunity to explain the apparent discrepancies between the Whois record, the Wayback Machine captures and the dates of incorporation of the Respondent's companies and trademark applications.

B. Identical or Confusingly Similar

The first element that the Complainant must establish is that the disputed domain name is identical with, or confusingly similar to, the Complainant's trademark rights.

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 Respondent disputes that the Complainant owns the registered trademarks relied on in this proceeding pointing out that the trademark applications in the United Arab Emirates were filed before the Complainant was even incorporated and contending that the Complainant has not submitted evidence of the assignment of the registrations from the original registrant and that there has been some tampering of records.

The Panel does not accept these arguments. The objective facts established by the certificate materials filed with the Complaint are that:

- (a) the applications were filed on June 11, 2014;
- (b) the applications were successfully registered on February 10, 2015; and
- (c) the Complainant is currently recorded as the registered owner of the trademarks.

The registration authorities in the United Arab Emirates – the Trade Marks Department of the Ministry of Commerce – have been satisfied to record the Complainant as the registered owner and there is no material before the Panel sufficient to question that. In these circumstances, therefore, the Panel finds that the Complainant has proven ownership of the registered trademarks for PROPERTY FINDER in the United Arab Emirates.

In undertaking the comparison between the disputed domain name and the Complainant's trademark, it is permissible in the present circumstances to disregard the country code Top-Level-Domain (ccTLD) component as a functional aspect of the domain name system. [WIPO Overview 3.0](#), section 1.11. Disregarding the ".me" ccTLD, therefore, the disputed domain name consists merely of the Complainant's registered trademark.

The Respondent also contends that the Complainant should not be considered to have trademark rights in PROPERTY FINDER as both words are ordinary English words and descriptive. The Panel accepts that both words are ordinary dictionary words in English and can be seen as descriptive of the services apparently offered by both parties. Whether the words are, or are not, descriptive in the United Arab Emirates, however, is a different matter where the Panel understands Arabic is the official language although English is one of the official languages of the court system and road signs are in both Arabic and English.⁵ The fact remains, the authorities in the United Arab Emirates (and some other countries) have allowed registration.

The comparison of the disputed domain name to the Complainant's trademark for the purposes of the first element simply requires a visual and aural comparison of the disputed domain name to the proven trademarks. This test is narrower than and thus different to the question of "likelihood of confusion" under trademark law. In the absence of a disclaimer over the expression, therefore, the potential descriptiveness of the Complainant's trademark, like other questions such as the scope of the trademark rights, the geographical location of the respective parties, the date they were acquired and other considerations that may be relevant to an assessment of infringement under trademark law are not relevant at this stage. Such matters, if relevant, may fall for consideration under the other elements of the Policy. See e.g., [WIPO Overview 3.0](#), sections 1.7 and 1.10.

Accordingly, the Panel finds that the Complainant has established that the disputed domain name is identical with the Complainant's trademark and the requirement under the first limb of the Policy is satisfied.

⁵ <https://u.ae/en/about-the-uae/fact-sheet>.

C. Rights or Legitimate Interests

The second requirement the Complainant must prove is that the Respondent has no rights or legitimate interests in the disputed domain name.

Paragraph 4(c) of the Policy provides that the following circumstances can be situations in which the Respondent has rights or legitimate interests in a disputed domain name:

- (iii) before any notice to [the Respondent] of the dispute, [the Respondent's] use of, or demonstrable preparations 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; or
- (ii) [the Respondent] (as an individual, business, or other organization) has been 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 [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

These are illustrative only and are not an exhaustive listing of the situations in which a respondent can show rights or legitimate interests in a 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. [WIPO Overview 3.0](#), section 2.1.

The examples in paragraph 4(c) (iii) of the Policy is inapplicable in the circumstances of this case.

There is no dispute between the parties that the Respondent is not affiliated with the Complainant and has not otherwise been authorised by the Complainant to use the disputed domain name.

The Complainant further contends that it has priority over rights to use PROPERTY FINDER in the United Arab Emirates (and Türkiye, Oman, Qatar, Bahrain, Kuwait and Saudi Arabia) by virtue of its registered trademarks and the incorporation of its related company, the associated use of its domain names and the media reports included in the Complaint.

The Respondent contends that he has rights or a legitimate interest through:

- (a) his conduct of a global business, especially in Asia, through his United Arab Emirates company, PropertyFinder.ME (FZE);
- (b) his (or his companies') registered trademarks;
- (c) the different domain name extensions for his domain name to those of the Complainant;
- (d) the different get-up of his website which the Respondent contends is not confusingly similar to the Complainant's website.

One difficulty with reliance on the United Arab Emirates company, PropertyFinder.me (FZE), is that the registration has expired, or at least the Respondent has not disputed the evidence that the registration has expired.

A further difficulty is that that company was registered, as were the Singapore and Malaysian companies, many years after the disputed domain name was apparently registered. A similar difficulty arises with the Respondent's trademark applications (through his companies). Moreover, it is well established under the Policy that pending trademark applications do not serve to provide rights or legitimate interests. Only the Indonesian registration could qualify as it is well-established under the Policy that registration of trademarks in United States of America states (as opposed to the Federal Register) are treated with great caution in the absence of evidence that the registration process involved substantive consideration of conflicts with prior trademark rights.

Even so, as paragraph 4(c)(i) states explicitly, the use in connection with an offer of goods or services must be in good faith. The requirement of good faith must also be satisfied where reliance is placed on derivation from a corporate or trading name adopted after a complainant acquired its trademark rights, where reliance is placed on trademark rights ([WIPO Overview 3.0](#) section 2.12.2) and also where the disputed domain name consists of a descriptive or dictionary term ([WIPO Overview 3.0](#) section 2.10.1).

Although the .me ccTLD is the ccTLD for Montenegro, and may be sometimes marketed as being for "personal connection", in the context of a business directed to advertising real estate in the Middle East and claiming to be the "Middle East #1 Property Portal in the United Arab Emirates UAE", the .me extension is readily perceived as emphasizing that the service is directed to the Middle East and, in particular, the United Arab Emirates and not, for example, Indonesia or Singapore or some other of the markets in Asia where the Respondent has incorporated companies or made applications to register trademarks.

Although Procedural Order No 1 specifically requested the Respondent to clarify when he became the registrant of the disputed domain name, the Respondent has chosen not to do so.

In his second supplemental filing, the Respondent has stated that he started his real estate business in January 2024. The chronology shows that he incorporated his various companies and through them applied to register the various trademark in 2023 and 2024. The Wayback Machine also shows a marked change in the use being made of the disputed domain name between 2021 and April 2023. In addition, the Respondent's second supplemental filing states that he uploaded the real estate business contents of his website in April 2024.

All of these factors point to the Respondent becoming the registrant of the disputed domain name sometime in 2023 or 2024.

Bearing in mind that the Respondent is based in the United Arab Emirates and his website is directed to a significant extent to the United Arab Emirates, the entitlement to a trademark belongs to the first in time. See e.g., *Woodbolt Distribution, LLC v. Ahmad Nasaan, Ultramade Nutrition & Beverages (FZE)* WIPO Case No. [DAE2025-0001](#).

In that context, the Panel does not consider the different domain extensions – .me compared to .com or .ae – would dispel any real risk of confusion. While the get-ups of the respective sites are different, it is the confusingly similar domain name which is or can be the vector to the site and the subject matter of the Respondent's website is exactly what someone looking for the Complainant's website would expect to find.

In these circumstances, the Panel finds that the Complainant has established a prima facie case under the Policy that the Respondent has no rights or legitimate interests in the disputed domain name and the Respondent has not successfully rebutted that case. Accordingly, the Panel finds the Complainant has established the second requirement under the Policy also.

D. Registered and Used in Bad Faith

Under the third requirement of the Policy, the Complainant must establish that the disputed domain name has been both registered and used in bad faith by the Respondent. These are conjunctive requirements; both must be satisfied for a successful complaint: see e.g., *Group One Holdings Pte Ltd v. Steven Hafto* WIPO Case No. [D2017-0183](#).

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the complainant. Given the long period over which the Complainant (or its predecessor) has been using its trademark particularly in the United Arab Emirates, the Panel considers it very likely that the Respondent was well aware that the Complainant (or its predecessor) was already using PROPERTY FINDER in the market and to a very significant extent. Moreover, the Respondent does not expressly deny knowledge that the Complainant's predecessor was already using the PROPERTY FINDER in the Respondent's target market. With that knowledge, the Respondent then adopted the identical mark for a directly competing business in the same market.

As noted above, the Respondent does point out that PROPERTY FINDER is descriptive of the service at least to someone familiar with the English language. That however does not give due weight to what appears to be very substantial use of the term as a trademark by the Complainant's predecessor and the consequent risk of confusion that would give rise to.

Whatever may be the case with the domain names registered in other country code TLDs (which are not issues before the Panel), the Panel finds that the registration and use of the disputed domain name for a business of the character for which the Respondent has in fact been using it is registration and use in bad faith under the Policy.

Accordingly, the Complainant has established all three requirements under the Policy.

6. 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 <propertyfinder.me> be transferred to the Complainant.

/Warwick A. Rothnie/
Warwick A. Rothnie
Presiding Panelist

/Nayiri Boghossian/
Nayiri Boghossian
Panelist

/Mathias Lilleengen/
Mathias Lilleengen
Panelist
Date: June 17, 2025