Decision for dispute CAC-UDRP-107872

Case number	CAC-UDRP-107872
Time of filing	2025-08-25 09:10:16
Domain names	babeltranslate.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	Babbel GmbH

Complainant representative

Organization	Lubberger Lehment Rechtsanwälte Partnerschaft mbB

Respondent

Name	Alex Tapper

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant owns various trademarks worldwide, inter alia:

- International Registration no. 1248282 for “BABBEL” (word) in classes 9, 16 and 41, based on the Spanish trademark no. 3546896 (with priority 6 February 2015);
- International Registration no. 1474248 for “BABBEL” (word) in class 39, based on the German trademark no. 30 2018 030 691 (with priority 27 December 2018);
- EU trademark 013641485 for “BABBEL” (word) in classes 9, 16 and 41 (filed 14 January 2015);
- EU trademark no. 017887213 for “Babbel” (word) in classes 41 and 42 (filed 12 April 2018);
- US trademark no. 4980763 for “Babbel” (word) in classes 9, 16 and 41 (filed 26 January 2015);
- US trademark no. 5970411 for Babbel (word) in class 42 (filed 8 December 2018).

FACTUAL BACKGROUND

The Complainant, offers online language learning services and operates one of the world’s most popular language learning apps. The Complainant was founded in 2007 and has rapidly grown since then. The sales revenue of Babbel Group, to which the Complainant belongs, exceeded 280 million euros in 2024. The Complainant is well-known not only in Europe and Germany, where the company has its seat, but also in other parts of the world, such as but not limited to the United Kingdom, the United States and

Australia. Today it is one of the highest-selling language learning platforms globally and employs over 700 people worldwide.

The Complainant is operating the website www.babbel.com. The Complainant's domain babbel.com was registered already in 2000. On www.babbel.com the Complainant advertises and offers its aforementioned language-learning services in different languages. On its further website www.babbelforbusiness.com the Complainant offers its language learning services for business clients. To protect its business activities, the Complainant holds several additional domain names. These include the domain name <babbel.ai>, which the Complainant has recently acquired through UDRP proceedings (Babbel GmbH v. Youssouf Boussioud <babbel.ai>, WIPO Case No. DAI2025-0026.

Since the release of the Complainant's apps for mobile devices, they have been among the most popular apps in the education sector. In 2013 the Complainant's Babbel apps have been downloaded over 10 million times and have been ranked number one in the educational app store download charts in more than 35 countries across four continents. In 2025 the Complainant has already sold over 25 million paying subscriptions for its app worldwide.

In line with the high level of market presence, the Complainant and its services have been the subject of continuous press coverage for many years. The reporting about the Complainant and its services covers a wide range of topics: Besides reports about the economic success of the company and a planned initial public offering (IPO), reports also covered the goods and services offered by the Complainant in connection with the war in Ukraine. In total, approximately 13,000 publications have been registered in print and online journals, magazines and newspapers, radio and TV stations with a high reach and visibility.

The disputed domain name was registered on 29 April 2025. The disputed domain name resolves to a website branded as "Babel AI". The site promotes a real-time speech translation tool that supports five languages: English, Spanish, French, German an Italian. It allows users to select two of these languages and speak in either one, while it automatically detects and translates between them.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

It is well established that the specific top level of a domain name such as ".com" does not affect the domain name for the purpose of determining whether it is identical or confusingly similar. Neither does the mere addition of generic terms like in this case "translate". The slight and barely noticeable misspelling omitting one "b" in BABBEL in the disputed domain name does not take away the overall similarity neither visually, orally or conceptually, therefor the disputed domain name is confusingly similar to the Complainant´s trademark BABBEL.

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

The circumstances set out in the Factual Background shows to the Panel that the Respondent was fully aware of the Complainant's very well-known BABBEL mark when the Respondent registered the disputed domain name and that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's mark as to the source of the Respondent's website and of the products promoted on that website. This demonstrates registration and use in bad faith.

Furthermore, the Panel finds that the mere registration of a domain name that is identical or confusingly similar to a well-known or widely-known trademark by an unaffiliated entity is sufficient to create a presumption of bad faith.

Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith.

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

1. The three essential issues under the paragraph 4(a) of the Policy are whether:

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 with respect to the disputed domain name; and

iii. the disputed domain name has been registered and is being used in bad faith.

2. The Panel reviewed carefully all documents provided by the Complainant. The Respondent did not provide the Panel with any documents or statements. The Panel also visited all available websites and public information concerning the disputed domain name, namely the WHOIS databases.

3. The UDRP Rules clearly say in its Article 3 that any person or entity may initiate an administrative proceeding by submitting a complaint in accordance with the Policy and these Rules.

4. The Panel therefore came to the following conclusions:

a) The Complainant states and proves that the disputed domain name is confusingly similar to its trademarks and its domain names. Indeed, the trademark is fully incorporated in the disputed domain name as the misspelling omitting one "b" of two in BABBEL must be disregarded.

The disputed domain name is therefore deemed confusingly similar.

b) The Respondent is not generally known by the disputed domain name and have not acquired any trademark or service mark rights in the name or mark, nor is there any authorization for the Respondent by the Complainant to use or register the disputed domain name.

The Panel therefore finds that the Respondent does not have rights or legitimate interest with respect to the disputed domain name.

c) It is clear that the Complainant's trademarks and website(s) were used by the Complainant long time before the disputed domain name was registered.

It is concluded that the mere registration of a domain name that is identical or confusingly similar to a well-known or widely-known trademark by an unaffiliated entity is sufficient to create a presumption of bad faith. Furthermore, the Respondent registered the disputed domain name and that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to the Respondent’s website, by creating a likelihood of confusion with the Complainant’s mark as to the source of the Respondent’s website and of the products promoted on that website.

The Panel therefore finds that the disputed domain name has been registered and is being used in bad faith.

For the reasons stated above, it is the decision of this Panel that the Complainant has satisfied all three elements of paragraph 4(a) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **babeltranslate.com**: Transferred

PANELLISTS

Name	**Lars Karnoe**

DATE OF PANEL DECISION 2025-10-01

Publish the Decision