Decision for dispute CAC-UDRP-108742

Case number	CAC-UDRP-108742
Time of filing	2026-06-23 09:29:35
Domain names	temustores.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Whaleco Technology Limited
Organization	Whaleco Inc.

Complainant representative

Organization	Thomsen Trampedach GmbH

Respondent

Name	iam find55

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings that are pending or decided and that relate to the Disputed Domain Name.

IDENTIFICATION OF RIGHTS

Complainant states that it, “through its affiliate Five Bells Limited, is the exclusive licensee of the following valid and subsisting common law and registered marks in the United States and worldwide,” for which it provided documentation:

- U.S. Reg. No. 7,164,306 for TEMU (registered September 12, 2023) for use in connection with “provision of an online marketplace for buyers and sellers of goods and services”;
- U.S. Reg. No. 7,157,165 for TEMU (registered September 5, 2023) for use in connection with, inter alia, “downloadable computer application software for mobile phones, namely, software for online shopping”;
- EU Reg. No. 018742564 for TEMU (registered November 18, 2022) for use in connection with, inter alia, “downloadable software applications for mobile phones”;
- EU Reg. No. 018816488 for TEMU (registered April 18, 2023) for use in connection with, inter alia, “electronic funds transfer”.

These registrations are referred to herein as the “TEMU Trademark.”

Complainant also provided a lengthy schedule of what it described as “TEMU global trademark registrations,” but many of the entries on the schedule were identified as “pending” or “ended.”

FACTUAL BACKGROUND

Complainant states that it belongs to "the same group of companies and affiliates under PDD Holdings Inc. doing business as TEMU and operating the TEMU marketplace platform ('TEMU.COM' or the 'Platform') in the U.S. and globally"; that "TEMU.COM launched in the United States in September 2022, and quickly became the most downloaded e-commerce app, surpassing 100 million downloads on the Google Play Store alone, and has been one of the most downloaded free applications on both the Google Play Store and the Apple App Store to date"; that "TEMU.COM is a global online platform that brings together consumers with merchants, manufacturers and brands around the world, offering a growing selection of merchandise in product categories such as clothing, consumer goods, cosmetics, appliances and electronics"; and that "[t]he Platform allows China-based vendors to sell and ship directly to customers without having to rely on intermediate distributors in the destination country, making products more affordable."

The Disputed Domain Name was created on March 1, 2026, and, according to the Complaint and screenshots provided as annexes thereto, is used in connection with a website that is "a near-identical replica of the Complainant's official platform, misappropriating the TEMU logo, color scheme, and overall layout." Complainant also states that "[t]he disputed domain names [sic] redirect to a website that hosts a blatant phishing scheme," but Complainant provided no documentation to support that assertion.

PARTIES CONTENTIONS

Complainant contends, in relevant part, as follows:

Paragraph 4(a)(i): Complainant states that the Disputed Domain Name is confusingly similar to the TEMU Trademark because, inter alia, the Disputed Domain Name "incorporates Complainant's TEMU trademark in its entirety as its leading and dominant component"; "[t]he term 'TEMU' is clearly recognizable"; and "[t]he descriptive term 'stores' does nothing to alleviate user confusion; rather, it compounds it by describing the exact nature of Complainant's industry, e-commerce platforms hosting stores."

Paragraph 4(a)(ii): Complainant states that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, "Complainant has not licensed, otherwise permitted or authorized the Respondent to use the TEMU Trademarks or brand, or to apply for any domain name that is confusingly similar to the TEMU mark or brand"; "[t]here is not any trademark registration of TEMU, nor business registration by the registrant can be found"; "Complainant could not find any bona fide service or good provided by the domains before this complaint"; "Complainant sent a dispute notice to the email address listed on the website the dispute domain redirected to, but the email could not be delivered as the email address is not existing."

Paragraph 4(a)(iii): Complainant states that the Disputed Domain Name was registered and is being used in bad faith because, inter alia, "[g]iven the global fame and pervasive online presence of the TEMU trademark, it is inconceivable that the Respondent was unaware of the Complainant's rights at the time of registration"; "[t]he deliberate pairing of the Mark with the descriptive terms [sic] 'stores' directly describe the Complainant's primary business [and] confirms that the Respondent specifically targeted the Complainant"; and Respondent's website "is clearly designed to deceive internet users into believing they are interacting with the Complainant's official services, thereby exploiting the Complainant's brand reputation for unauthorized purposes."

No administratively compliant response has been filed.

RIGHTS

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 UDRP).

NO RIGHTS OR LEGITIMATE INTERESTS

Complainant has, to the satisfaction of the Panel, shown 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 UDRP).

BAD FAITH

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 UDRP).

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

Identical or Confusingly Similar: Paragraph 4(a)(i)

The documentation provided by Complainant are sufficient to establish that Complainant has rights in the TEMU Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to these trademarks, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., "temustores") because "[t]he applicable Top Level Domain ('TLD') in a domain name (e.g., '.com', '.club', '.nyc') is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test." WIPO Overview 3.1, section 1.11.1.

Here, the Disputed Domain Name contains the TEMU Trademark in its entirety. As set forth in section 1.7 of WIPO Overview 3.1: "[I]n cases where a domain name incorporates the entirety of a trademark…, the domain name will normally be considered confusingly similar to that mark."

As to the addition of the word "stores", section 1.8 of WIPO Overview 3.1 says: "Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element."

Accordingly, the Panel finds that Complainant has proven the first element of the Policy.

Rights or Legitimate Interests: Paragraph 4(a)(ii)

Complainant states that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, "Complainant has not licensed, otherwise permitted or authorized the Respondent to use the TEMU Trademarks or brand, or to apply for any domain name that is confusingly similar to the TEMU mark or brand"; "[t]here is not any trademark registration of TEMU, nor business registration by the registrant can be found"; "Complainant could not find any bona fide service or good provided by the domains before this complaint"; "Complainant sent a dispute notice to the email address listed on the website the dispute domain redirected to, but the email could not be delivered as the email address is not existing."

WIPO Overview 3.1, section 2.1, states: "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 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."

The Panel finds that Complainant has established its prima facie case and, without any evidence from Respondent to the contrary, the Panel is satisfied that Complainant has satisfied the second element of the UDRP.

Registered and Used in Bad Faith: Paragraph 4(a)(iii)

Whether a domain name is registered and used in bad faith for purposes of the UDRP may be determined by evaluating four (non-exhaustive) factors set forth in paragraph 4(b) of the UDRP: (i) circumstances indicating that the registrant has registered or the registrant has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the registrant's documented out-of-pocket costs directly related to the domain name; or (ii) the registrant has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant's website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the registrant's website or location or of a product or service on the registrant's website or location.

By publishing a website that appears to be a website for Complainant, Respondent has obviously created a likelihood of confusion pursuant to paragraph 4(b)(iv) of the Policy. See, e.g., WIPO Overview 3.1 sections 3.4 ("host[ing] a copycat version of the complainant's website" constitutes bad faith); DocuSign, Inc. v. Traffic CPMiPV, Maria Carter, WIPO Case No. D2010-0344 (creating a website that appears to be a website for a complainant is "likely fraudulent" and "indicates an intent to deceive or, at a minimum, act in bad faith with the intent for commercial gain"). This is especially true where, as here, the Disputed Domain Name is confusingly similar a well-known trademark. WIPO Overview 3.1, section 3.1.4: "Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith."

Accordingly, the Panel finds that Complainant has proven the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **temustores.com**: Transferred

PANELLISTS

Name	**Douglas Isenberg**

DATE OF PANEL DECISION 2026-07-16

Publish the Decision