Decision for dispute CAC-UDRP-108753

Case number	CAC-UDRP-108753
Time of filing	2026-06-23 09:26:50
Domain names	temuuae.com

Case administrator

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

Complainant

Organization	Whaleco Inc.
Organization	Whaleco Technology Limited

Complainant representative

Organization	Thomsen Trampedach GmbH

Respondent

Organization	Bukhatir Group

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 Complainants have demonstrated ownership of rights in the trademark TEMU for the purposes of standing to file a UDRP complaint.

The Complainants are exclusive licensees of the TEMU trademark, which is owned by their affiliated company Five Bells Limited, registered in the British Virgin Islands, United Kingdom. Among others, the Complainants are the exclusive licensees of the United States trademark registration No. 7164306, filed on August 10, 2022 and registered on September 12, 2023 for TEMU (word mark), claiming first use in commerce on September 1, 2022, and covering various services in international class 35; and the European Union trademark registration No. 018742564 for TEMU (word mark), filed on August 5, 2022, and registered on November 18, 2022, for goods and services in international classes 9, 35, 38 and 42.

FACTUAL BACKGROUND

The Complainants are Whaleco Inc., headquartered in the United States, and its affiliated company Whaleco Technologies Limited, registered in Ireland. They both belong to the group of companies that is operating the internationally popular TEMU marketplace

platform (hereinafter, “the TEMU platform”).

The TEMU platform is accessible through the website www.temu.com and mobile applications available on the Apple App Store and the Google Play Store. Launched in the United States in September 2022, the TEMU platform quickly became the most downloaded e-commerce app, surpassing 100 million downloads on the Google Play Store alone.

Since May 31, 2024, the European Commission has designated the TEMU platform as a Very Large Online Platform under the Digital Services Act, with an average of more than 45 million monthly users in the European Union.

The disputed domain name <temuuae.com> was registered on February 20, 2023, and resolves to a parking page with pay-per-click links.

PARTIES CONTENTIONS

COMPLAINANTS

The Complainants contend that the disputed domain name is confusingly similar to the trademark TEMU in which they have rights, as they include the trademark in its entirety with the mere addition of the geographical abbreviation “uae”, which stands for United Arab Emirates – a major active market for the Complainants’ business -, and the generic Top Level Domain (“gTLD”) “.com”, which is a standard technical requirement and is disregarded when assessing confusing similarity.

The Complainants assert that the Respondent has no rights or legitimate interests in respect of the disputed domain name because the Respondent has never been authorized or licensed to use the TEMU mark or to register the disputed domain name. The Complainants also state that the Respondent is not commonly known by the disputed domain name and has no relevant trademark or trade name rights in TEMU or in a name corresponding to the disputed domain name.

The Complainants further submit that the disputed domain name has not been used for a bona fide offering of goods or services or for legitimate non-commercial use since the disputed domain name has been used by the Respondent in connection with a registrar parking page. The Complainants further state that the Respondent registered the disputed domain name to capitalize on the goodwill of the TEMU mark and intentionally confuse consumers, redirecting traffic to an unauthorized website.

The Complainants submit that the Respondent registered the disputed domain name in bad faith because the Respondent had actual knowledge of the Complainants and the TEMU mark, considering the trademark registrations for TEMU long predate the registration of the disputed domain name and in view of the Complainants’ extensive use of the trademark TEMU since 2022 in connection with the TEMU platform, which had already acquired millions of users when the disputed domain name was registered.

The Complainants further state that, since the disputed domain name resolves to a landing page, it is passively held. The Complainants also submit that there is no plausible, legitimate justification for the Respondent to register a domain name confusingly similar to the TEMU mark and it is evident that the Respondent registered the disputed domain name in bad faith to divert internet traffic and disrupt the Complainants’ legitimate business operations.

RESPONDENT

No administratively compliant Response has been filed.

RIGHTS

The Complainants have, 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 Complainants have rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainants have, 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 Complainants have, 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).

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. Preliminary procedural issue: consolidation of multiple Complainants

The Complaint was filed by two Complainants. Prior panels have found that in certain circumstances such a consolidation may be permitted under the Policy, see Shanghai Xiyu Jizhi Technology Co., Ltd, Nanonoble PTE. LTD. v. hong jiang, CAC-UDRP-108482, Reckitt & Colman (Overseas Health Limited) and Reckitt Benckiser SARL v. Mayur patel, WIPO Case No. D2024-0749, The Procter & Gamble Company, Braun GmbH v. Albert Smith, Zhichao, WIPO Case No. D2026-0919 and section 4.11.1 of the WIPO Overview 3.1.

In assessing whether a complaint filed by multiple complainants may be brought against a single respondent, panels have looked at whether (i) the complainants had a specific common grievance against the respondent, or the respondent had engaged in common conduct that has affected the complainants in a similar fashion, and (ii) it would have been equitable and procedurally efficient to permit the consolidation.

In the present case, the Complainants have demonstrated to be affiliated companies and to have a common grievance against the Respondent, considering they both use the TEMU mark under license for operating the TEMU platform. The Panel also finds that it would be equitable and procedurally efficient to permit the consolidation.

Therefore, under the circumstances, the Panel has decided to allow the consolidation of the Complainants in this proceeding.

2. Substantive issues.

A: The Complainants have demonstrated ownership of rights in the TEMU mark for the purposes of the Policy.

According to the evidence submitted by the Complainant, which has not been challenged by the Respondent, the Complainants are the exclusive licensee of various trademark registrations for TEMU owned by the company Five Bells Limited. As stated in prior decisions rendered under the UDRP, an exclusive trademark licensee is considered to have rights in a trademark for purposes of standing to file a complaint.

The Panel finds that the disputed domain name is confusingly similar to the TEMU mark as it reproduces the mark in its entirety with the sole addition of the three-letter term “uae” (which may be interpreted as an acronym for “United Arab Emirates”) and the gTLD “.com”. As stated in prior decisions rendered under the UDRP, where relevant trademark is recognizable within the disputed domain name, the addition of other terms and of the gTLD is not sufficient to prevent a finding of confusing similarity under the first element.

In view of the above-described use of the disputed domain name in connection with a parking page with pay-per-click links, the Panel finds that the Respondent has been using the disputed domain name to intentionally attempt to attract Internet users to its website for commercial gain, by creating a likelihood of confusion with the TEMU mark as to the source, sponsorship, affiliation or endorsement of its website, according to paragraph 4(b)(iv) of the Policy.

B. With reference to the Respondent’s lack of rights or legitimate interests in the disputed domain name, the Panel finds that the Complainants have made a prima facie case and that the Respondent, by not submitting a Response, has failed to provide any element from which a Respondent’s right or legitimate interest in the disputed domain name could be inferred.

The Panel notes that, based on the records, the Respondent has not been authorized, licensed or otherwise permitted by the Complainants to use the TEMU mark. Moreover, there is no evidence that the Respondent might be commonly known by the disputed domain name or a name corresponding to the disputed domain name.

The disputed domain name resolves to a parking page with pay-per-click links, including a link referring to the TEMU mark. The Panel finds that the Respondent’s use of the disputed domain name does not amount to a bona fide offering of goods or services or legitimate non-commercial or fair use without intent for commercial gain to misleadingly divert consumers or to tarnish the TEMU mark.

Moreover, the Panel finds that the disputed domain name is inherently misleading and suggests an affiliation with the Complainants, as it incorporates the TEMU mark with the addition of the “uae” suffix referrable to the United Arab Emirates, a country where the Complainants operate via their platform.

In view of the above, the Panel finds that the Complainants have demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain name according to paragraph 4(a)(ii) of the Policy.

C. As to bad faith at the time of registration, the Panel finds that, in light of the prior registration of the trademark TEMU in several countries, the use of the TEMU mark in connection with the TEMU platform since 2022 and the popularity reached by the platform in a short period of time, the Respondent was or should have been aware of the Complainants’ TEMU platform when it registered the disputed domain name in February 2023.

The composition of the disputed domain name and the reference to the TEMU mark on the webpage to which the disputed domain name resolves suggest the Respondent was indeed aware of, and intended to target, the TEMU mark through the registration and use of the disputed domain name.

In view of tze above-described use of the disputed domain name in connection with a parking page with pay-per-click links, the Panel finds that the Respondent has been using the disputed domain name to intentionally attempt to attract Internet users to its website for commercial gain, by creating a likelihood of confusion with the TEMU mark as to the source, sponsorship, affiliation or endorsement of its website, according to paragraph 4(b)(iv) of the Policy.

Therefore, the Panel finds that the Complainants have also demonstrated that the Respondent registered and are using the disputed domain name in bad faith according to paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **temuuae.com**: Transferred

PANELLISTS

Name	**Luca Barbero**

DATE OF PANEL DECISION 2026-07-28

Publish the Decision