

## **ADMINISTRATIVE PANEL DECISION**

### **MeridianLink, Inc. v. Carolina Rodrigues, Fundacion Comercio Electronico Case No. D2023-1170**

#### **1. The Parties**

The Complainant is MeridianLink, Inc., United States of America (“U.S.”), represented by Thomas Horstemeyer, LLP, U.S.

The Respondent is Carolina Rodrigues, Fundacion Comercio Electronico, Panama.

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

The disputed domain name <apadminmeridianlink.com> 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 15, 2023. On March 16, 2023, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 17, 2023, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint.

The Center sent an email communication to the Complainant on March 20, 2023 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 March 22, 2023.

The Center verified that the Complaint together with the amendment to the 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 24, 2023. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2023. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 14, 2023.

The Center appointed Adam Samuel as the sole panelist in this matter on April 19, 2023. 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 supplies digital business solutions to lenders. The Complainant owns a United States of America trademark for the name MERIDIANLINK, registration number 3766634, registered on March 30, 2010. The Complainant registered the domain name <meridianlink.com> on May 19, 1998, through which it promotes its products.

The disputed domain name was registered on November 7, 2022. The disputed domain name resolves to a what appears to be a parking page which offers links to a variety of the firms, some of which appear to compete with the Complainant's business.

#### **5. Parties' Contentions**

##### **A. Complainant**

The relevant comparison to be made is between the Complainant's trademark and the second-level portion of the disputed domain name only since the top-level domain name can be disregarded for this purpose. The relevant part of the disputed domain name contains the Complainant's MERIDIANLINK trademark in its entirety along with the additional term "apadmin". Despite that addition, the trademark is still clearly recognizable within the disputed domain name. The term "apadmin" can be understood as referring to administration application connected with the Complainant's trademark or as having no discernible meaning. The addition of a term with no such meaning is not likely to prevent confusion when paired with a trademark.

The Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use the Complainant's trademark in any way. By using the disputed domain name in connection with an attempt to divert the Complainant's customers to the Respondent's website for illicit commercial gain, the Respondent has failed to create a *bona fide* offering of goods or services.

Using a domain name in connection with a page redirecting users to third-party websites constitutes bad faith.

##### **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

#### **6. Discussion and Findings**

To succeed, the Complainant must demonstrate that all of the elements listed in paragraph 4(a) of the Policy have been satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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.

### **A. Identical or Confusingly Similar**

The disputed domain name consists of the Complainant's trademark MERIDIANLINK, preceded by the word or words "apadmin" and followed by the generic Top-Level Domain ("gTLD") ".com".

The gTLD is irrelevant here as it is a standard registration requirement. See section 1.11 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

The addition of "apadmin" to the Complainant's trademark does not prevent the recognition of the Complainant's trademark in the disputed domain name. The term "apadmin" is either meaningless or could refer to the notion of an administration application which would relate the disputed domain name to the Complainant's activities. As, section 1.8 of the [WIPO Overview 3.0](#) says:

"Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, [...] meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element."

For all these reasons, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's trademark.

### **B. Rights or Legitimate Interests**

The Respondent is not called "apadminmeridianlink" or anything similar. There is no evidence that the Complainant has ever authorised the Respondent to use its trademarks.

Based on the available record, where the Complainant has made out a preliminary case that the Respondent lacks rights or legitimate interests, and in the absence of any response on this point, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name. See section 2.1 of the [WIPO Overview 3.0](#).

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

The disputed domain name consists of the term or words "apadmin" followed by the Complainant's distinctive trademark. That consists of two words "meridian" and "link" that are not related to each other. The Respondent should have been aware from the use of two such unconnected words that the disputed domain name probably contained someone's trademark.

Without a response to this complaint, it is difficult to know why the Respondent registered such a domain name. The most likely answer is that the Respondent 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, sponsorship, affiliation, or endorsement of your website or location. Under paragraph 4(b)(iv) of the Policy, this is evidence of the registration and use of a domain name in bad faith

For all these reasons, the Panel concludes that the Respondent registered and is using the disputed domain name in bad faith.

## **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, <apadminmeridianlink.com> be transferred to the Complainant.

*/Adam Samuel/*

**Adam Samuel**

Sole Panelist

Date: April 26, 2023