

ADMINISTRATIVE PANEL DECISION

ZipRecruiter, Inc. v. Name Redacted, hr-ziprecruiter.com
Case No. D2024-4430

1. The Parties

The Complainant is ZipRecruiter, Inc., United States of America (“USA”), represented by SafeNames Ltd., United Kingdom (“UK”).

The Respondent is Name Redacted, hr-ziprecruiter.com.¹

2. The Domain Name and Registrar

The disputed domain name, <hr-ziprecruiter.com>, is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 29, 2024. On October 29, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 29, 2024, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 30, 2024, 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 October 31, 2024.

¹The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 November 1, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 21, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 22, 2024.

The Center appointed Dennis A. Foster as the sole panelist in this matter on November 26, 2024. 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 is an online personnel recruitment company based in the USA which began doing business in 2010. Since that time, more than one million employees and 120 million job seekers have interacted with the Complainant. The Complainant has received significant trade publication recognition, and the Complainant's mobile application is on sale in Google and Apple stores. The Complainant can be contacted on social media services such as Facebook, X, Instagram, YouTube and LinkedIn, and the Complainant is publicly traded on the New York Stock Exchange.

The Complainant owns numerous ZIPRECRUITER service mark registrations such as:

- USA registration No. 3934310, registered on March 22, 2011, Int. Cl. 42 (computer services and downloadable software)
- European Union registration No. 015070873, registered on June 13, 2016, Int. Cl. 9, 36, 41, and 42
- UK registration No. UK00915070873, registered on June 13, 2016, Int. Cl. 9, 36, 41, and 42

The Respondent is an individual purportedly located in the USA. The Respondent registered the disputed domain name on September 11, 2024. The disputed domain name does not resolve to an active webpage, but the evidence shows that the disputed domain name is equipped with MX ("mail exchange") potentially allowing for email traffic.

The Complainant sent the Respondent two cease-and-desist letters in September 2024, but the Respondent did not respond.

5. Parties' Contentions

A. Complainant

- The Complainant's registered ZIPRECRUITER service marks give it the right to file a UDRP complaint regarding the disputed domain name.
- The disputed domain name encompasses the Complainant's entire ZIPRECRUITER service mark with the only addition being the letters "hr" (an acronym for human resources) and a hyphen. The disputed domain name is confusingly similar to the Complainant's service mark because the mark still is distinctly recognizable in the disputed domain name.

- The Respondent lacks rights or legitimate interests in the disputed domain name.
- The Respondent has no service mark license from the Complainant to use the disputed domain name, and does not have any common law service mark rights either.
- The Respondent has not used the disputed domain name to make a bona fide offering of goods or services. The disputed domain name does not even resolve to an active webpage.
- The Respondent has never been known by the Complainant's service mark ZIPRECRUITER.
- The Respondent registered and is using the disputed domain name in bad faith.
- The selection of the disputed domain name so obviously connected to with the Complainant's service mark strongly suggests "opportunistic bad faith".
- The Respondent used the disputed domain name in bad faith through "passive holding" prior to receiving notice of the Complaint .

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that a complainant must demonstrate each of the following in order to obtain a transfer or cancellation of a disputed domain name:

- (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.

Under paragraph 15(a) of the Rules, a Panel shall decide a 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. Identical or Confusingly Similar

The Complainant has annexed the data on a few of its ZIPRECRUITER service mark registrations in the USA and abroad. The Panel has noted the particulars of a few of these registrations in the Factual Background section above. The Panel finds these registrations are proof that the Complainant has trademark rights in the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, 3rd Edition ("[WIPO Overview 3.0](#)"), section 1.2.1.

The Respondent has added the two letters "hr" and a hyphen at the beginning of the disputed domain name. The Panel finds that the Complainant's ZIPRECRUITER service mark still is the most prominent part of the disputed domain name, and thus the disputed domain name is confusingly similar to the Complainant's service mark. [WIPO Overview 3.0](#), section 1.7. The generic Top-Level Domains ("gTLDs") are neutral in this analysis: See, e.g., *Facebook, Inc. v. S. Demir Cilingir*, WIPO Case No. [D2018-2746](#).

The Panel therefore finds that the Complainant has carried its burden of proof to show that the disputed domain name is confusingly similar to the Complainant's ZIPRECRUITER service mark per Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

The Complainant contends that it has not authorized the Respondent to use its ZIPRECRUITER service mark in the disputed domain name or otherwise. This constitutes a prima facie case under the Policy that the Respondent does not have rights or legitimate interests in the disputed domain name. The burden of production then shifts to the Respondent to come forward and show that it does have rights or legitimate interests in the disputed domain name, although the ultimate burden of proof remains on the Complainant. [WIPO Overview 3.0](#), section 2.1.

The Respondent has not come forward to rebut the Complainant's prima facie case, but the Complainant itself has gone to additional lengths to show that the Respondent does not have rights or legitimate interests in the disputed domain name as allowed per Policy paragraph 4(c)(i, ii and iii).

First, the Panel agrees with the Complainant that the Respondent is not making a bona fide offering of goods or services (per Policy paragraph 4(c)(i)) at the disputed domain name because there is no active webpage. Next, the Complainant argues there is no evidence that the Respondent has ever been known by the disputed domain name, including in its registration data. The Respondent thus cannot claim rights and legitimate interests in the disputed domain name under Policy paragraph 4(c)(ii).

Finally, the Complainant shows the Policy consensus is that mere ownership with non-use of a disputed domain name does not qualify as noncommercial or fair use per Policy paragraph 4(c)(iii). See *Chargers Football Company/National Football League Properties, Inc. v. One Sex Entertainment Co. a/k/a ChargerGirls.net*, WIPO Case No. [D2000-0118](#).

The Panel therefore finds that the Complainant has carried its burden of proof under Policy paragraph 4(a)(ii) to show that the Respondent does not have rights or legitimate interests in the disputed domain name.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances without limitation that if found by the Panel to be present, are evidence of the registration and use of a domain name in bad faith.

The Panel finds it is clear that the Respondent knew of the Complainant's service mark when it registered the disputed domain name. The Complainant had been in business for over 14 years and had also already registered some of its ZIPRECRUITER service marks for about the same amount of time. The Complainant has shown that it is well-known in the online recruiting and hiring field, and the Panel thus finds the Respondent was well aware he was using the Complainant's service mark rights when he registered the disputed domain name.

As to bad faith use, the Respondent is not making a use per se of the disputed domain name, but this nonetheless does not prevent a finding of using the disputed domain name in bad faith under the doctrine of "passive holding". [WIPO Overview 3.0](#), section 3.3. The factors that contribute to a finding of bad faith through passive holding are various, but in our present case they include:

- The Complainant and its ZIPRECRUITMENT service mark are well-known in its field of job recruitment, hiring and human resources.
- The Respondent is not making any apparent use of the disputed domain name.
- The Respondent has attempted to hide his true identity.

- The Respondent can send and receive emails from the disputed domain name, opening up the possibility for the Respondent to impersonate the Complainant in various forms of malfeasance such as phishing or passing off, which represents an implied ongoing threat to the Complainant so long as the Respondent maintains control over the disputed domain name. See *Telstra Corp. Ltd. v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#). [WIPO Overview 3.0](#), section 3.3.

The Panel is convinced, then, that the Complainant has carried its burden of proof under Policy paragraph 4(a)(iii) to show the Respondent has 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 <hr-ziprecruiter.com> be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: December 11, 2024