

ADMINISTRATIVE PANEL DECISION

Insight Global, LLC v. Insight Global, Insight global
Case No. D2025-0115

1. The Parties

The Complainant is Insight Global, LLC, United States of America (“United States”), represented by Troutman Pepper Locke, United States.

The Respondent is Insight Global, Insight global, United States.

2. The Domain Name and Registrar

The disputed domain name <insightglobal365.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 January 13, 2025. On January 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 14, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Redacted for Privacy, INSIGHT GLOBAL) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 15, 2025, 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 January 15, 2025.

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 proceeding commenced on January 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 13, 2025.

The Center appointed Steven Auvil as the sole panelist in this matter on February 17, 2025. 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

According to the Complaint and the amended Complaint, the Complainant is an international staffing and services company founded in 2001. The Complainant has over 70 sales offices worldwide and specializes in sourcing information technology, government, accounting, finance, and engineering professionals and delivering service-based solutions to Fortune 1000 clients. The Complainant was named one of the three largest Information Technology staffing firms in the United States by Staffing Industry Analysts for multiple years. The Complainant is also known as a leader in staffing, jobs, and careers and is regularly cited by national publications.

The Complainant owns several United States Trademark registrations incorporating the term INSIGHT GLOBAL (collectively, the “INSIGHT GLOBAL mark”): Registration No. 3630697, INSIGHT GLOBAL A STAFFING SERVICES COMPANY, registered June 2, 2009; Registration No. 4997327, INSIGHTGLOBAL, registered July 12, 2016; and Registration No. 6225338, INSIGHT GLOBAL UNIVERSITY, registered December 22, 2020. The Complainant also owns the domain name <insightglobal.com>.

The disputed domain name was registered on October 29, 2024. At the time of filing of the Complaint, the disputed domain name was inactive. As of the date of this decision, the Panel notes that the disputed domain name resolves to an inactive webpage, with messages stating “Hmmm... can’t reach this page” and the disputed domain name’s “server IP address could not be found”.

5. Parties’ Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant first contends that the disputed domain name is confusingly similar to its INSIGHT GLOBAL mark. The Complainant alleges that the disputed domain name incorporates the entirety and merely adds the descriptive term “365.” The Complainant contends that the “365” is a standard and well-known reference to the number of days in a year and “365” is commonly used in businesses to identify a product or services that is offered all year or designed to be connected to each day of the year. The Complainant contends that the addition of “365” does not distinguish the disputed domain name from the Complainant’s INSIGHT GLOBAL mark.

The Complainant next alleges that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant contends that the Respondent is not a licensee of the Complainant nor is the Respondent otherwise authorized to use the INSIGHT GLOBAL mark for any purpose. Additionally, to the Complainant’s knowledge, the Respondent owns no trademark registration for INSIGHT GLOBAL or any variants thereof and has not used the INSIGHT GLOBAL mark prior to registering the disputed domain name.

Finally, the Complainant contends that the Respondent registered and has used the disputed domain name in bad faith. The Complainant alleges that the Respondent knowingly registered the disputed domain name as a near-exact reproduction of the Complainant’s unique and inherently distinctive INSIGHT GLOBAL mark and it is unlikely that the Respondent came up with the phrase “Insight Global” on its own. Further, the Complainant alleges that the Respondent provided false information in its domain name registration records,

having used the Complainant's own address for the registration of the disputed domain name in an effort to further conceal its true identity.

The Complainant requests that the disputed domain name be transferred to the Complainant.

B. Respondent

The Respondent did not answer the Complainant's contentions in the Complaint or the amended Complaint.

6. Discussion and Findings

According to 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." Paragraph 4(a) of the Policy directs that the Complainant must prove each of the following to obtain relief:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or a service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a Response, the Panel is entitled to accept as true the allegations set forth in the Complaint (unless the evidence is clearly contradictory), and to derive reasonable inferences from the evidence presented. See *Talk City, Inc. v. Michael Robertson*, WIPO Case No. [D2000-0009](#).

Based on the foregoing guidance, the Panel makes the following findings and conclusions based on the allegations and evidence contained in the Complaint and Amended Complaint and reasonable inferences drawn from the evidence presented.

A. Identical or Confusingly Similar

It is well established that the first element of the Policy serves primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The evidence submitted by the Complainant supports the conclusion that the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. The Complainant owns three registered trademarks incorporating the term INSIGHT GLOBAL. [WIPO Overview 3.0](#), section 1.2.1.

The evidence also supports the conclusion that the disputed domain name is confusingly similar to the Complainant's INSIGHT GLOBAL mark. As set forth in [WIPO Overview 3.0](#), section 1.7, when the entirety of a mark is reproduced within the disputed domain name, or "at least a dominant feature of the relevant mark is recognizable in the domain name", the disputed domain name is deemed confusingly similar to the mark for the purposes of the Policy. Further, "[w]here the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise)" does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.8.

Here, the disputed domain name is confusing similar to the Complainant's INSIGHT GLOBAL mark. The Panel finds that the Respondent has incorporated the entirety of the Complainant's INSIGHT GLOBAL mark and merely added the term "365." The addition of "365" does not negate a finding of confusing similarity. *LEGO Juris A/S v. Super Privacy Service LTD c/o Dynadot / Yuejuan Mao*, WIPO Case No. [D2020-1695](#).

Additionally, as set forth in section 1.11.1 of the [WIPO Overview 3.0](#), the applicable generic Top-Level Domain (“gTLD”) (e.g., “.com”, “.site”, “.info”, “.shop”) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. As such, the use of “.com” gTLD in the disputed domain name has no bearing on the confusing similarity analysis.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name. Such circumstances include:

- (i) before any notice of the dispute, the respondent used, or prepared to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services;
- (ii) the respondent (as an individual, business, or other organization) is commonly known by the disputed domain name, even if the respondent has acquired no trademark or service mark rights; or
- (iii) the respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

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 difficult task of “proving a negative.” As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests in a disputed domain name, 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the evidence and arguments of record, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. In addition to the confusing similarity between the disputed domain name and the well-known INSIGHT GLOBAL mark, the Complainant submits un rebutted evidence that the Respondent used the Complainant’s name and address when applying for the disputed domain name.

The Respondent has not attempted to rebut the Complainant’s prima facie showing; in fact, the Respondent has not come forward with any evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. Nor is there evidence of record that the Complainant licensed or otherwise authorized the Respondent’s use of the INSIGHT GLOBAL mark or the dominant portion thereof in a domain name, or that the Respondent has any affiliation, association, sponsorship, or connection with the Complainant.

The Panel finds the second element of the Policy has been established.

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 non-exclusive circumstances that, if found by the Panel to be present, is evidence of the registration and use of a domain name in bad faith.

Additionally, section 3.2.1 of the [WIPO Overview 3.0](#) provides that “[p]articular circumstances panels may take into account in assessing whether the respondent’s registration of a domain name is in bad faith include: (i) the nature of the domain name (e.g., a typo of a widely-known mark, or a domain name incorporating the complainant’s mark plus an additional term such as a descriptive or geographic term, or one that corresponds to the complainant’s area of activity or natural zone of expansion); [...] (vi) a clear

absence of rights or legitimate interests coupled with no credible explanation for the respondent's choice of the domain name, or (viii) other indicia generally suggesting that the respondent had somehow targeted the complainant."

In the present case, the Panel concludes that the Respondent has registered and used the disputed domain name in bad faith. The disputed domain name incorporates the entirety of the Complainant's registered and well-known INSIGHT GLOBAL mark with an additional term which could refer to the Complainant's services that are offered all year round. The Panel also finds that the Respondent knew of the Complainant's INSIGHT GLOBAL mark at the time of registering the disputed domain name and endeavored to unfairly capitalize on the mark for possible commercial gain. Indeed, in the application to register the disputed domain name, the Respondent used the Complainant's name and address. Moreover, the fact that the disputed domain name does not currently resolve to an active website does not prevent a finding of bad faith under the doctrine of passive holding, considering the overall circumstances of this case.

[WIPO Overview 3.0](#), section 3.3.

The Panel therefore finds that the Complainant has established the third element of the Policy.

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 <insightglobal365.com> be transferred to the Complainant.

/Steven Auvil/

Steven Auvil

Sole Panelist

Date: March 3, 2025