

ADMINISTRATIVE PANEL DECISION

ZipRecruiter, Inc. v. Houseaccount, Web.Com
Case No. D2024-0221

1. The Parties

The Complainant is ZipRecruiter, Inc., United States of America ("United States"), represented by SafeNames Ltd., United Kingdom.

The Respondent is Houseaccount, Web.Com, United States.

2. The Domain Name and Registrar

The Disputed Domain Name <supports-ziprecruiter.com> is registered with Register.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 18, 2024. On January 19, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On January 24, 2024, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 January 24, 2024. In accordance with the Rules, paragraph 5, the due date for Response was February 13, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 16, 2024.

The Center appointed Clark W. Lackert as the sole panelist in this matter on February 19, 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 a well-known online employment recruitment company based in the United States, providing services for both individuals and commercial entities under its principal trademark ZIPRECRUITER by means of its online platform and elsewhere. The Complainant attracts more than seven (7) million active job seekers and 10,000 new companies each month, and has over 40 million job alert email subscribers.

Since its inception in 2010, the Complainant has served more than one million employers and 120 million job seekers. The Complainant has been recognized as one of the fastest-growing technology companies in North America and was ranked 350 in Deloitte's 2019 Technology Fast 500. It was also named on Fast Company's 2019 list of "The World's Most Innovative Companies" within the "Enterprise" sector.

The Complainant has further been the recipient of a number of G2 Awards. Additionally, the Complainant is frequently featured in lists collating the best online job recruitment services.

The Complainant has registered its trademark ZIPRECRUITER in many jurisdictions, including in the United States, United Kingdom, European Union, and Canada as follows:

Jurisdiction	Registration Number	Registration Date
United States	3934310	March 22, 2011
United Kingdom	UK00915070873	June 13, 2016
European Union	015070873	June 13, 2016
Canada	TMA979480	August 28, 2017

The Complainant's online platform is the foundation of its business. It allows employers to post jobs and manage job applications and enables job seekers to search for and receive alerts regarding the latest job posts. The Complainant primarily operates from its website using its domain name <ziprecruiter.com> registered on February 23, 2010, and received an average of more than 35 million visits per month between October and December 2023. The Complainant also uses its ZIPRECRUITER mark in connection with many country code Top-Level domains ("ccTLDs"). The Complainant offers a popular mobile application, available on both Google Play and the Apple Store, which has been downloaded more than five million times on Google Play. Moreover, the Complainant is active on social media, promoting its products and services online under the ZIPRECRUITER mark in Facebook, X (formerly known as Twitter), Instagram, and YouTube.

The Disputed Domain Name was registered on August 28, 2023. The Disputed Domain Name resolves to a website hosting pay-per-click ("PPC") links generating monetary revenue by diverting Internet users to third-party competitor websites.

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.

This Complaint is based on the following legal grounds. The Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; (Policy, Paragraph 4(a)(i); Rules, Paragraphs 3(b)(viii), (b)(ix)(1)).

The Complainant owns registered trademarks for ZIPRECRUITER and also owns the goodwill and recognition that has been attained under the mark ZIPRECRUITER. The Complainant further submits that previous panels have recognized the value of the ZIPRECRUITER trademark and its association with the Complainant. A non-exhaustive list of these cases is: *ZipRecruiter Inc. v. Domains By Proxy, LLC / Carolina*

Rodrigues, WIPO Case No. [D2022-2729](#); *ZipRecruiter Inc. v. Carolina Rodrigues*, WIPO Case No. [D2021-2184](#); *ZipRecruiter Inc. v. Mushe Magoro*, WIPO Case No. [D2022-2215](#); *ZipRecruiter Inc. v. Ismail Mechbal, Unik*, WIPO Case No. [D2020-3383](#); and *ZipRecruiter Inc. v. Mark Barrows*, WIPO Case No. [D2020-2735](#). Consequently, the Complainant has satisfied the requirement of holding a right in the ZIPRECRUITER term.

The Complainant submits that the Disputed Domain Name is confusingly similar to the Complainant's ZIPRECRUITER mark, since it uses the Complainant's mark and only adds the descriptive term "supports", a common term in the online world for computer and technical assistance. The Complainant submits that the ZIPRECRUITER mark remains clearly recognizable in the Disputed Domain Name with the addition of the term "supports" and a hyphen. Panels have consistently found confusing similarity in respect of similarly constructed domain names (see, for example, *Riot Games, Inc. v. Maik Baumgartner*, WIPO Case No. [D2012-0744](#)).

The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; (Policy, paragraph 4(a)(ii); Rules, paragraph 3(b)(ix)(2)). The Complainant submits that the Respondent lacks a right or a legitimate interest in the Disputed Domain Name. Following the submissions made in this section of the Complaint, the burden will then shift to the Respondent to produce evidence that they have rights or legitimate interests in the Disputed Domain Name. To the best of the Complainant's knowledge, the Respondent does not have any trademark rights to the term "ziprecruiter", "supports-ziprecruiter", nor any similar term. There is also no evidence that the Respondent retains any unregistered trademark rights to ZIPRECRUITER. The Complainant submits that the Respondent currently uses the Disputed Domain Name to display Pay-Per-Click ("PPC") advertisement links that redirect users to third party websites that offer services competitive to the Complainant. The Complainant submits that previous panels have found that the use of a domain name to host a parked page comprising PPC links which are competing with the Complainant, cannot confer a bona fide offering of goods and services. Moreover, there is no indication in the record that sets forth any possible rights in the term "ziprecruiter".

The Disputed Domain Name was registered and is being used in bad faith. (Policy, paragraphs 4(a)(iii), 4(b); Rules, paragraph 3(b)(ix)(3)). The Complainant submits that the Respondent both registered and is using the Disputed Domain Name in bad faith in accordance with paragraph 4(a)(ii) of the Policy. The Complainant's ZIPRECRUITER trademark registration predates the creation date of the Disputed Domain Name by over 12 years. In addition, substantial goodwill has accrued since the Complainant's establishment in 2010; the ZIPRECRUITER name has become synonymous with online job hunting and recruitment, as evidenced in the Factual Grounds

Furthermore, the Complainant submits that a cease and desist letter was sent to the Respondent via email on September 22, 2023. This letter was written and sent in order to put the Respondent on notice of the Complainant's trademarks and rights and with a view to resolving the matter amicably. The Respondent was given the opportunity to provide evidence of any actual or contemplated good faith use but chose not to respond. Therefore, the Complainant submits that this is further evidence of bad faith.

In determining that the Respondent has used the Disputed Domain Name in bad faith, the Complainant submits that the following circumstances stipulated in paragraph 4(b) of the Policy apply in this case: (iv) the Respondent has intentionally attempted to attract, for commercial gain, Internet users to their 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 their website or location or of a product or service on their website or location. The Complainant emphasizes that the Disputed Domain Name is currently used to direct Internet users to a webpage that displays PPC hyperlinks which redirect to third-party competitor websites of the Complainant, which constitutes a clear attempt to generate commercial gain by misleading online users with the Disputed Domain Name. Therefore, the Complainant requests that the Panel finds that the use and registration by the Respondent constitutes bad faith use under the Policy.

B. Respondent

The Respondent is in default and did not reply to the Complainant's contentions.

6. Discussion and Findings

The Panelist has reviewed the Complaint, all supporting evidence, and the proceeding history as set forth in the record. The Panelist notes that no response has been filed in this proceeding and that the record supports a decision in the Complainant's favor.

A. Identical or Confusingly Similar

It is well accepted that the first element functions 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 Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other term "supports" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the Disputed Domain Name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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

B. Rights or Legitimate Interests

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", 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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name such as those enumerated in the Policy or otherwise.

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 circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

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. [WIPO Overview 3.0](#), section 3.1.4. In this instance, the famous mark ZIPRECRUITER, with a descriptive term “supports” to falsely indicate a “support” page, is being registered by a completely unrelated entity. To increase possible confusion, the Disputed Domain Name’s parking page has links to the Complainant competitors and includes employment related terms such as “Part Time Jobs”, “Online Recruiting Services”, and “Staffing Solutions” to clearly mislead the public that this domain name is focused on job-related services. This situation is clearly a violation of Policy 4(b)(iv) since the Respondent is intentionally attempting to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark.

The Panel 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 <supports-ziprecruiter.com> be transferred to the Complainant.

/Clark W. Lackert/

Clark W. Lackert

Sole Panelist

Date: March 4, 2024