

ADMINISTRATIVE PANEL DECISION

ZipRecruiter, Inc. v. Carolina Rodrigues, Fundacion Comercio Electronico
Case No. D2024-5103

1. The Parties

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

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

2. The Domain Name and Registrar

The disputed domain name <ziprecruiterh.com> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 11, 2024. On December 11, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On December 11, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 11, 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 December 12, 2024.

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 December 17, 2024. In accordance with the Rules, paragraph 5, the due date for Response was January 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 10, 2025.

The Center appointed Ian Lowe as the sole panelist in this matter on January 16, 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

The Complainant is a well-known United States online recruitment company, providing services for both individuals and commercial entities. The Complainant attracts more than seven 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, carrying on business under the ZIPECRUITER mark (the “Mark”), the Complainant has served more than one million employers and 120 million job seekers. It is active on social media using the Mark and operates a number of websites using domain names incorporating the Mark including “www.ziprecruiter.com” which received an average of more than 27 million visits per month between September and November 2024.

The Complainant is the proprietor of numerous registered trademarks for the word mark ZIPRECRUITER, including United States trademark number 3934310 registered on March 22, 2011; European Union trademark number 015070873 registered on June 13, 2016; and the comparable United Kingdom trademark number 00915070873, created following the United Kingdom’s exit from the European Union and also treated as registered on June 13, 2016.

The Domain Name was registered on November 18, 2024. It resolves to a parking page comprising dynamic links to webpages of pay-per-click (“PPC”) links to a number of third-party websites, including providers of recruitment services and competitors of the Complainant. In addition, the Domain Name’s zone file is configured with Mail Exchanger records (also known as MX records) such that the Domain Name is configured to send and receive email.

The Respondent has been the subject of numerous successful complaints against it under the UDRP.

5. Parties’ Contentions

A. Complainant

The Complainant contends that the Domain Name is confusingly similar to the Mark, that the Respondent has no rights or legitimate interests in respect of the Domain Name, and that the Respondent registered and is using the Domain Name in bad faith.

B. Respondent

The Respondent did not reply to the Complainant’s contentions

6. Discussion and Findings

For this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

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

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.

Ignoring the generic Top-Level Domain ".com", the Domain Name comprises the entirety of the Complainant's ZIPRECRUITER mark with the addition of the letter "h". In the Panel's view the addition of this letter (indicative of "typosquatting") does not prevent a finding of confusing similarity between the Domain Name and the Mark. Accordingly, the Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights, and 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.

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. Accordingly, 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.

The Domain Name is being used to resolve to a webpage of PPC links comprising in turn click through links to third party websites including the websites of providers of recruitment services and competitors of the Complainant. In the absence of any explanation from the Respondent, it is difficult to conceive a legitimate purpose for registering a domain name identical to the Complainant's Mark save for the addition of the letter "h" or any possible justification for the Respondent having registered the Domain Name.

In the Panel's view, the Domain Name is a typical example of typosquatting, whereby a domain name is registered with a minor variation of a well-known brand name with a view to taking advantage of typographical errors or mistaken perception by Internet users. Such a registration cannot possibly, on the face of it, give rise to rights or legitimate interests on the part of the registrant of a domain name.

Having reviewed the available evidence, the Panel finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the 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 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

In light of the nature of the Domain Name, comprising a slight misspelling of the Complainant's name and mark, the Panel is in no doubt that the Respondent had the Complainant and its rights in the Mark in mind when it registered the Domain Name, and that it did so with the intention of using the Domain Name to

deceive Internet users into believing that it was registered by or associated with the Complainant for legitimate purposes related to the Complainant's activities.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The Panel cannot conceive of a legitimate use to which the Respondent could put the Domain Name. The obvious inference is that the Respondent registered and uses the Domain Name for commercial gain with a view to taking unfair advantage of the Complainant's rights in the Mark, including through sponsored links on the parking page to which the Domain Name resolves.

Furthermore, the Panel considers that typosquatting amounts to paradigm bad faith registration and use for the purposes of paragraph 4(a) of the Policy. In addition, the active MX records give rise to the risk that fraudulent or phishing emails may be sent using the Domain Name, particularly noting the typosquatting nature of the Domain Name.

Accordingly, the Panel finds that the Domain Name has been registered and is being used in bad faith. 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 Domain Name <ziprecruiterh.com> be transferred to the Complainant.

/Ian Lowe/

Ian Lowe

Sole Panelist

Date: January 29, 2025