

ADMINISTRATIVE PANEL DECISION

Talan Corporate and Talan SAS v. Name Redacted Case No. D2025-1038

1. The Parties

The Complainants are Talan Corporate, France, and Talan SAS, France, internally represented.

The Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name <talán-us.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 13, 2025. On March 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainants on March 17, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on March 21, 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”).

¹ The 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Annex 1 to the Registrar as part of the order in these proceedings, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case.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](#).

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, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2025. The Respondent did not submit any formal response.

On March 31, 2025, the Center received an email communication from a third party with the same name and surname as the Respondent (using an email address different from the one disclosed by the Registrar), clarifying that its identity has been stolen. On April 14, 2025, the Center informed the Parties about the commencement of panel appointment process.

The Center appointed Andrea Mondini, Stéphane Lemarchand and Mariia Koval as panelists in this matter on May 8, 2025. The Panel finds that it was properly constituted. Each member of 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 Complainants' group was founded in 2002, has over 7,000 employees in 20 countries and provides IT consulting services.

The Complainants own several trademark registrations, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASSES
TALAN	International Registration	1257844	January 14, 2015	35, 38, 41, and 42
TALAN (fig.)	International Registration	1811751	June 10, 2024	35, 38, 41, and 42

The Complainants hold the domain name <talán.com> which hosts their main website.

Because the Respondent did not file a Response, not much is known about the Respondent.

The disputed domain name was registered on January 22, 2025.

As of the date of this Decision, the disputed domain name resolves to an inactive website. However, according to the evidence (Annex 3 to the Complaint) submitted with the Complaint, the disputed domain name previously redirected to the Complainants' main website.

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend as follows:

The disputed domain name is confusingly similar to the TALAN trademark in which the Complainants have rights, because it incorporates this trademark in its entirety, and the addition of the suffix "-us" is not sufficient to prevent a finding of confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The trademark TALAN has been extensively used to identify the Complainants and their services. The Respondent has not been authorized by the Complainants to use this trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name automatically redirected to the Complainants' website "www.talan.com". This redirection strongly suggests that the Respondent has no legitimate rights to use the disputed domain name and may be attempting to mislead consumers or divert Internet traffic, which is not a legitimate or fair use of the domain name.

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the Complainants and their well-known trademark TALAN at the time they registered the disputed domain name, since they redirected it to the Complainants' main website.

The Respondent is using the disputed domain name in bad faith, by attempting to mislead Internet users and divert traffic, to disrupt the Complainants' business, to mislead recruiting activities and to conduct scam activities. Individuals who had not been previously contacted by the Complainants, reached out to the Complainants' HR team to inquire about the status of their applications, thinking that the disputed domain name was affiliated with the Complainants. This indicates that the Respondent actively tried to mislead individuals into believing they are associated with the Complainants. In addition, the Complainants' marketing department received multiple emails and calls from individuals who reported they have been scammed or who wished to authenticate the hiring process. These individuals often mentioned that fraudsters impersonated the Complainants' employees by using real employees' names and identities. The scam typically involved fraudsters posing as representatives of the Complainants or other legitimate recruitment agencies, to offer fake job opportunities. The fraudsters often requested payment for various supposed services such as background checks, training materials, or to secure the job position itself.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

On March 31, 2025, the Center received an email from a third party apparently in receipt of the Center's written notice of the proceedings claiming to be the victim of an identity theft and have no relationship with the disputed domain name.

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the 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

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 Complainants' 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 Complainants have 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 Panel finds the entirety of the mark is reproduced within the disputed domain name.

Although the addition of other terms such as here “-us” may bear on assessment of the second and third elements, the Panel finds that 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 addition of the generic Top-Level Domain “.com” in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), section 1.11.1.

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.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that for a complainant to prove that 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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. A Respondent’s use of the Complainants’ mark to redirect users to the Complainants’ own official site would not support a claim to rights or legitimate interests. [WIPO Overview 3.0](#), section 2.5.3.

The Respondent has not rebutted the Complainants’ 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.

Furthermore, the disputed domain name itself suggests a connection or affiliation between the Complainants and the Respondent which in fact does not exist.

Based on the available record, 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.

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.

In the view of the Panel, noting that the Complainants’ trademark predates the registration of the disputed domain name and considering that the disputed domain name redirected to the Complainants’ main website, it is inconceivable that the Respondent could have registered the disputed domain name without

knowledge of the Complainants' trademark. In the circumstances of this case, this is evidence of registration in bad faith.

The Respondent's bad faith is further established by the fact the Respondent has not only sought to conceal its identity by using a privacy shield, but has registered the disputed domain name by apparently using the identity of other individual.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

8. 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 <talán-us.com> be transferred to the Complainants.

/Andrea Mondini/

Andrea Mondini
Presiding Panelist

/Stéphane Lemarchand/

Stéphane Lemarchand
Panelist

/Mariia Koval/

Mariia Koval
Panelist

Date: May 16, 2025