

ADMINISTRATIVE PANEL DECISION

Globant S.A. v. Bauffs Gerry
Case No. D2025-2315

1. The Parties

The Complainant is Globant S.A., Spain, represented by Marval O'Farrell Mairal, Argentina.

The Respondent is Bauffs Gerry, United Kingdom.

2. The Domain Name and Registrar

The disputed domain name <globant.pro> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 12, 2025. On June 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 13, 2025, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 16, 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 amendment to the Complaint on June 19, 2025.

The Center verified that the Complaint together with the amendment to 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 June 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 10, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 11, 2025.

The Center appointed James Bridgeman as the sole panelist in this matter on July 15, 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 corporation carrying on a wide range of activities including software development, IT consulting, and digital marketing using the GLOBANT mark for which it holds an international portfolio of registrations including the following:

- European Union trademark registration (“EUTM”) GLOBANT (figurative), registration number 018356645, registered on May 21, 2021, for goods and services in classes 9, 35 38, 41 and 42;
- EUTM GLOBANT, registration number 018356639, registered on May 21, 2021 for goods and services in classes 9, 35 38, 41 and 42; and
- United Kingdom registered trademark GLOBANT, registration number UK00003831223, registered on January 13, 2023 for goods and services in classes 9, 35, 36, 38, 41 and 42.

The Complainant has an established Internet presence and maintains its website at <www.globant.com> to promote and offer its services.

The disputed domain name was registered on March 4, 2025. The disputed domain name does not resolve to any active website, but generates a phishing warning and a notice with the following text: “Website not found. Sorry, please confirm that this domain name has been bound (*sic*) to your website”.

There is no information available about the Respondent, who has availed of a privacy service to conceal their identity, except for that provided in the Complaint, the Registrar’s Whois for the disputed domain name and the information provided by the Registrar in response to the request by the Center for details of the registration of the disputed domain name for the purposes of these proceedings.

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.

Notably, the Complainant claims rights in the GLOBANT trademark and service mark based on the ownership of its international portfolio of registrations described above and extensive use of the mark providing a wide range of services, including software development, IT consulting, digital marketing, among many others.

The Complainant submits that since it was founded in Argentina in 2003, the Complainant has expanded its operations to every continent in the world. The Complainant adds that it collaborates with prestigious clients such as American Express, Coca-Cola, Mercado Libre, and Unilever, among many others. The Complainant now employs over 29,000 professionals globally and reported a revenue of USD 2.3 billion in Q2 of 2024, reflecting its continuous growth and global impact.

Firstly, the Complainant alleges that the disputed domain name is identical or confusingly similar to the GLOBANT trademark and service mark in which it has rights, because it reproduces the Complainant’s trademark in its entirety without any other distinctive elements.

In this regard, the Complainant refers to section 1.7 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”) which states that “[t]he standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward [side-by-side] comparison between the complainant’s trademark and the disputed domain name [...] to assess whether the mark is recognizable within the disputed domain name”; and “in cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the

domain name, the domain name will normally be considered confusingly similar to that mark for purposes of UDRP standing.”

It is further argued that because the disputed domain name is identical to the Complainant's registered trademark, there is no room for doubt that the first element of the Policy is satisfied. The Complainant argues that the exact replication of the GLOBANT trademark in the disputed domain name creates a clear and undeniable connection, firmly establishing that the disputed domain name is confusingly similar to the mark in which the Complainant holds exclusive rights.

The Complainant adds that the generic Top-Level Domain (“gTLD”) “.pro” constitutes a standard registration requirement and, as such, should be disregarded under the first element confusing similarity test. In *CANAL + FRANCE v. Franck Letourneau*, WIPO Case No. [DTV2010-0012](#), the panel decided that the domain name <canalsat.tv> was confusingly similar to complainant's trademark CANALSAT as the incorporation of a trademark in its entirety is often sufficient to establish that a domain name is identical or confusingly similar to Complainant's trademark.”

Secondly, the Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name arguing that:

- the Complainant has not licensed or otherwise permitted the Respondent to use the trademark GLOBANT, or to apply for use of any domain name incorporating, totally or partially, such trademark. The Respondent will not be able to produce contractual agreements (such as licenses or authorizations) to support the Respondent's rights to use the trademark GLOBANT;
- the Complainant has no legal and/or business relationship with the Respondent which would give rise to any license, permission, or authorization for the Respondent to use the disputed domain name;
- to the best of the Complainant's knowledge, there is no evidence that the Respondent has been commonly known by the disputed domain name;
- to the best of Complainant's knowledge, the Respondent has not used the disputed domain name in connection with a bona fide offering of goods or services;
- to the best of the Complainant's knowledge, the Respondent has not made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services.

Additionally, the Complainant refers to a screen captures which are exhibited in an annex to the Complaint. The exhibited screen captures show that the disputed domain name generates the following: “Warning. Suspected Phishing. This Website has been reported for potential phishing. Phishing is when a site attempts to steal sensitive information by falsely presenting as a safe source”; and also the message “Website not found. Sorry, please confirm that this domain name has been bound (*sic*) to your website”.

The Complainant concludes that therefore the Respondent has not made a legitimate noncommercial or fair use of the disputed domain name which does not support a claim to the Respondent having any rights or legitimate interests.

Thirdly, the Complainant alleges that the disputed domain name was registered and is being used in bad faith, arguing that it has actively used and promoted the GLOBANT mark since 2003 in connection with its goods and services and consequently its GLOBANT mark has become undoubtedly notorious in the world.

The Complainant adds that its goodwill and reputation has been enhanced in recent years due to high profile business partnerships with Williams Racing in Formula 1, the NBA's franchise L.A. Clippers, its collaboration with FIFA and its acquisition of several important companies in recent years, such as: GUT advertising agency, Pentalog, and Genexus.

It is argued that in this context, it is almost impossible that the Respondent was not aware of the Complainant and its GLOBANT mark when it recently registered the disputed domain name on March 4, 2025.

In this respect the Complainant refers to section 3.2. of the [WIPO Overview 3.0](#). states that “[n]oting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant’s mark is widely known [...] and a respondent cannot credibly claim to have been unaware of the mark [...], panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant’s mark.”

The Complainant further cites as an example the decision of the panel in *eBay Inc. v. Renbu Bai*, WIPO Case No. [D2014-1693](#), directing transfer of the domain name <ebayjordans.com> where it was decided that the respondent had registered the domain name in bad faith because it found that due to the famous nature of the complainant’s EBAY trademark the respondent knew or should have known of complainant’s trademark prior to registering the disputed domain name.

Regarding the use of the disputed domain name, the Complainant argues that the exhibited screen captures referred to above show that the disputed domain name generates a phishing warning and resolves to an inactive website displaying the following text: “Website not found. Sorry, please confirm that this domain name has been bound (sic) to your website”.

The Complainant argues that the Respondent’s passive holding of the disputed domain name should be considered indicative of the Respondent’s bad faith.

The Complainant refers to the [WIPO Overview 3.0](#), section 3.3. and argues that in deciding whether the passive holding of the disputed domain name constitutes registration and use in bad faith the Panel should consider:

- (a) The degree of distinctiveness or reputation of the Complainant’s trademarks;
- (b) The failure of the respondent to submit a response or to provide any evidence of actual or contemplated good faith use;
- (c) Respondent’s concealing its identity or use of false contact details (noted to be in breach of its registration agreement); and
- (d) The implausibility of any good faith use, to which the domain name may be put.

The Complainant argues that the Complainant’s trademark GLOBANT is well known; the Respondent concealed its identity on the published WhoIs on which its contact information is redacted for privacy; and any good faith use of the disputed domain name, incorporating the Complainant’s trademark in its entirety without any other distinctive elements, is implausible.

The Complainant argues that it is more likely than not that the Respondent’s primary motive in registering and using the disputed domain name was to capitalize on or otherwise take advantage of the Complainant’s trademark rights and reputation, through the creation of initial risk of confusion.

In conclusion the Complainant contends that by using the disputed domain name, the Respondent is intentionally attracting, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant’s trademark and business, as to the source, sponsorship, affiliation, or endorsement, what proves the existence of bad faith use.

B. Respondent

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

6. Discussion and Findings

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 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. There are no other elements in the disputed domain name except for the gTLD ".pro". Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds therefore that 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. 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 disputed domain name is identical to the Complainant's distinctive GLOBANT mark; the Complainant has not granted any license or right to the Respondent to use its mark in the disputed domain name or otherwise; and there is no evidence that the Respondent has been commonly known by the disputed domain name, or used the disputed domain name in connection with a bona fide offering of goods or services; and importantly the website at the disputed domain name has been reported as a potential phishing site, and the disputed domain name is being passively held by the Respondent.

The Panel therefore 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.

In the present case, the evidence as presented indicates that the Respondent's aim in registering the disputed domain name was to profit from or exploit the Complainant's trademark.

The Complainant has shown that it has acquired an extensive international goodwill and reputation in the GLOBANT mark since it was founded in Argentina in 2003, and through its business expansion, acquisitions and partnerships it has expanded to a business that now employs over 29,000 professionals globally and reported a revenue of USD 2.3 billion in Q2 of 2024.

The Respondent would have become aware of the Complainant's website at "www.globant.com" when the identical domain name was chosen and registered albeit on the different gTLD, namely ".pro".

The Panel finds therefore that on the balance of probabilities the Respondent was aware of the Complainant and its GLOBANT mark when the disputed domain name was chosen and registered.

The Panel further finds that on the balance of probabilities it follows that the disputed domain name was registered in bad faith, with the Complainant's mark in mind for the purposes of targeting the Complainant and taking predatory advantage of the Complainant's goodwill and reputation in the GLOBANT mark.

It is well established that in certain circumstances, the passive holding of a domain name will be found to constitute bad faith. The consensus view of panelists according to the [WIPO Overview 3.0](#), section 3.3 is that the lack of active use of the domain name does not as such prevent a finding of bad faith. The panel must examine all the circumstances of the case to determine whether respondent is acting in bad faith. Examples of circumstances that can indicate bad faith include complainant having a well-known trademark, no response to the complaint, concealment of identity and the impossibility of conceiving a good faith use of the domain name. Panels may draw inferences about whether the domain name was used in bad faith given the circumstances surrounding registration, and vice versa.

Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's GLOBANT trademark; the composition of the disputed domain name being the Complainant's mark in its entirety with no other element except for the gTLD ".pro"; and that the Respondent used a privacy service. The fact that the website at the disputed domain name has been reported as a phishing site reinforces the Panel's finding of bad faith.

Considering these factors the Panel finds that the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

This Panel finds therefore that, in the absence of any Response or explanation from the Respondent, on the balance of probabilities, that the passive holding of the disputed domain name in the circumstances set out above constitutes bad faith for the purposes 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 <globant.pro> be transferred to the Complainant.

/James Bridgeman/

James Bridgeman

Sole Panelist

Date: July 25, 2025