

## **ADMINISTRATIVE PANEL DECISION**

SHL Group Limited v. Jason Fang  
Case No. D2025-3469

### **1. The Parties**

Complainant is SHL Group Limited, United Kingdom ("UK"), represented by Wedlake Bell, UK.

Respondent is Jason Fang, Australia.

### **2. The Domain Name and Registrar**

The disputed domain name <shlprep.com> (the "Domain Name") 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 August 27, 2025. On August 27, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On August 27, 2025, 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 (SHL Prep) and contact information in the Complaint. The Center sent an email to Complainant on August 28, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on August 29, 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 Respondent of the Complaint, and the proceedings commenced on September 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 22, 2025. The Response was filed with the Center on September 22, 2025. The Respondent sent an email communication to the Center on September 24, 2025.

On September 25, 2025, Complainant submitted to the Center an unsolicited Reply to the Response. In its discretion, the Panel has considered this supplemental filing.

The Center appointed Robert A. Badgley as the sole panelist in this matter on September 29, 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 Complainant:

“The Complainant is a well-known talent solutions provider which has a strong reputation in the market for providing talent assessment and psychometric testing. This includes the provision of recruitment tests for job applicants. These are used by prospective employers so they can assess actual and potential employees for competencies relevant to their business activities. The Complainant provides these services to clients in the UK and worldwide under its 'SHL' brand.” [...]

“As a result of its success in marketing psychometric employment tests, the Complainant is a market leader in the provision of pre-employment and employee tests. The Complainant has built up a substantial goodwill and reputation within the UK and internationally by reference to its SHL brand.” According to Complainant, there are other psychometric tests besides its SHL exam.

Complainant holds United Kingdom trademark registrations for SHL, including UK Reg. No. UK00001442943, registered on April 17, 2001 in connection with “testing of individuals to determine employment skills”; and UK Reg. No. UK00003433696, registered on January 31, 2020 in connection with, among other things, “personality testing for the selection of personnel” and providing non-downloadable software “in the field of recruitment, hiring, assessment, development and application of human resource for use in testing of individuals to determine employment skills and competency”.

Complainant also holds United States Reg. No. 1,631,981 for the mark SHL, registered on January 15, 1991 in connection with occupational and educational testing services.

The Domain Name was registered on October 20, 2019. The Domain Name resolves to a website at which Respondent offers, purportedly free of charge, practice testing services for the SHL test.

Respondent states that it is using the term “SHL” in its nominative sense and not to cause consumer confusion or create the false impression that Respondent’s website and services are somehow affiliated with or authorized by Complainant. According to Respondent:

“By way of background, the domain in question (<shlprep.com>) provides free, unofficial, and independently created test preparation materials for candidates preparing for SHL assessments. The domain does not claim affiliation with SHL, nor does it sell, collect data, or attempt to pass off as SHL.”

“The website makes clear it is not affiliated with SHL and does not offer genuine SHL tests. It offers only unofficial, independently authored preparatory content in the style of commonly available aptitude tests. This minimizes risk of user confusion.”

According to the evidence provided by Complainant at the time of filing the Complaint, the website contained no disclaimers of affiliation between Respondent and Complainant.

At the time of this Decision, the Panel notes that one of the FAQs on Respondent’s website is, “Are All SHL Practice Tests Free?” The response is:

“Yes, access to all SHL practice tests is completely free after creating an account. You can access the first SHL sample test of each set without logging in.”

Another FAQ on Respondent's site is, "What Are the Benefits Of Creating An Account?" The response is:

"By creating an account, you gain free access to all SHL aptitude tests containing over 1,000+ questions, along with solutions and explanations. You also gain access to the Analytics page where you can track your performance over time and compare your score against peers."

It is not clear from the record whether access to the "Analytics" page is also free of charge.

Respondent's website also states:

"SHL Prep asks for your consent to use your personal data to: Personalised advertising and content, advertising and content measurement, audience research and services development. [...]"

In the Response, Respondent asserts, among other things:

"The domain is solely used to identify the nature of the educational service provided; there is no attempt to exploit or mislead regarding the SHL trademark."

"No attempt has ever been made to sell or transfer the domain to SHL or a competitor. The domain exists purely as a public, noncommercial, purely educational offering."

"As correctly identified by the Complainant, the site is entirely free for users, with no paywall or sales links. There is no revenue generation, or benefit derived from SHL's trademark."

"The website clearly indicates it is unaffiliated, unofficial, and does not claim to represent SHL or provide official tests."

In its unsolicited Reply, Complainant states, among other things:

"We enclose two examples of adverts appearing at the Disputed Domain Name. We assume that the Respondent derives some benefit from such adverts. We are unclear why any individual or entity would devote time and resources to, as the Respondent claims, creating multiple unique practice psychometric tests for the purposes of assisting users with securing lucrative jobs at leading companies for no financial gain."

Complainant annexed to this Reply two screenshots of what appear to be commercial advertisements appearing on Respondent's website. One advertisement involves an airline, and the other involves an AI-related service.

## **5. Parties' Contentions**

### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

### **B. Respondent**

Respondent's essential position is reflected above in the "Factual Background" section.

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) 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 Complainant's trademark and the Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Panel finds that Complainant has rights in the trademark SHL through registration and use demonstrated in the record. The Panel also finds that the Domain Name is confusingly similar to that mark. The Domain name entirely incorporates the SHL mark and adds the term "prep". Notwithstanding this additional term, the SHL mark is clearly recognizable within the Domain Name.

Complainant has established Policy paragraph 4(a)(i).

### **B. Rights or Legitimate Interests**

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are 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.

The Panel concludes that Respondent lacks rights or legitimate interests in respect of the Domain Name.

It is clear that Respondent was aware of Complainant and its SHL exam when registering the Domain Name. Indeed, Respondent's website is dedicated to providing services to help users improve their performance on the SHL exam. On the record presented, the Panel finds it implausible that Respondent is deriving no commercial benefit from this enterprise.

As Complainant pointed out in its Reply, there are commercial advertisements on Respondent's website. This would appear to belie Respondent's denial of receiving any commercial benefit from its use of the Domain Name. Even if Respondent were to remove the commercial advertisements, the Panel finds it likely that Respondent is gathering data (e.g. personal information or testing data) for other commercial purposes.

Respondent also denies trying to create the false impression that Respondent is affiliated with Complainant. Again, the record does not bear this out. Respondent's website refers continuously to SHL, and bears no disclaimer at all, much less a prominent disclaimer, nor prominent explanation of who operates the website.

In short, the Panel finds that Respondent has undermined its credibility by insisting – without evidence and even despite evidence – that it derives no revenue from the Domain Name and that it has taken pains to disavow any relationship with Complainant. Rather, the Panel concludes on this record, that Respondent has registered and used the Domain Name for commercial gain by engendering consumer confusion between Complainant's SHL mark and Respondent's website. Such conduct does not invest Respondent with a legitimate interest vis-à-vis the Domain Name.

Complainant has established Policy paragraph 4(a)(ii).

### **C. Registered and Used in Bad Faith**

Paragraph 4(b) of the Policy provides that the following circumstances, "in particular but without limitation", are evidence of the registration and use of the Domain Name in "bad faith":

- (i) circumstances indicating that Respondent has registered or has acquired the Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Domain Name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Name; or
- (ii) that Respondent has registered the Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or
- (iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) that by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website or other online location, by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of Respondent's website or location or of a product or service on Respondent's website or location.

The Panel concludes, on the record provided here, that Respondent has registered and used the Domain Names in bad faith. The Panel incorporates its discussion above in the "Rights or Legitimate Interests" section. On the record presented here, the Panel concludes that Respondent registered the Domain Name in order to target Complainant and its trademark for improper commercial gain, in violation of the above-quoted Policy paragraph 4(b)(iv).

Complainant has established Policy paragraph 4(a)(iii).

### **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 <shlprep.com> be transferred to Complainant.

*/Robert A. Badgley/*

**Robert A. Badgley**

Sole Panelist

Date: October 15, 2025