

## **ADMINISTRATIVE PANEL DECISION**

Globant España S.A. (sociedad unipersonal) v. tongliang li  
Case No. D2025-4420

### **1. The Parties**

The Complainant is Globant España S.A. (sociedad unipersonal), Spain, represented by Marval O'Farrell & Mairal, Argentina.

The Respondent is tongliang li, Japan.

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

The disputed domain name <arglobant.com> is registered with NameSilo, LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 28, 2025. On October 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 28, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 30, 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 amended Complaint on November 3, 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").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on November 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 2, 2025.

The Center appointed Theda König Horowicz as the sole panelist in this matter on December 9, 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 Spanish corporation which has been initially founded in 2003 in Argentina. It specializes in technology and digital transformation. In this industry sector, the Complainant is carrying out worldwide several activities including software development, IT consulting, and digital marketing using the GLOBANT name and trademark for which it holds an international portfolio of registrations including the following:

- European Union Trade Mark registration GLOBANT (figurative), registration number 018356645, registered on May 21, 2021, for goods and services in classes 9, 35 38, 41 and 42; and
- European Union Trade Mark registration GLOBANT, registration number 018356639, registered on May 21, 2021 for goods and services in classes 9, 35 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 September 1, 2025. The disputed domain name does not resolve to an active website but generates a warning page indicating that the site is dangerous, specifically:

“Attackers on the site you are trying to visit may trick you into installing software or disclosing information such as your passwords, phone number, or credit card details. Chrome recommends that you return to a safe site.”

No information is available on the Respondent who remained silent in the 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 contends that the disputed domain name is confusingly similar to the Complainant's trademark GLOBANT since it reproduces the Complainant's trademark in its entirety without any other distinctive elements. The prefix “ar” before the Complainant's trademark does not create any distinctive element that could dispel the likelihood of confusion. On the contrary, “ar” refers to Argentina, where the Complainant operations started. The “.com” Top Level Domain (TLD) constitutes a standard registration requirement and, as such, should be disregarded under the first element confusing similarity test.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, which the Respondent registered and uses in bad faith to defraud the Complainant's customers through phishing activities or other deceptive conduct. The Complainant also notes that the same or substantially similar registrant information has previously been identified as the Respondent in another UDRP proceeding, *Carrefour SA v. tongliang li*, WIPO Case No. [D2024-3843](#).

## **B. Respondent**

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

## **6. Discussion and Findings**

Paragraph 15(a) of the Rules instructs this Panel to “decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.”

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that the disputed domain name should be cancelled or transferred:

- (i) the domain name registered by the Respondent 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.

In view of the Respondent's failure to submit a Response, the Panel shall decide these administrative proceedings on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.3.

### **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 the trademark GLOBANT for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

Despite the addition of the letters “ar” before “globant” in the disputed domain name, the Panel finds that the mark GLOBANT is recognizable within the disputed domain name and that the addition of the letters “ar” does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7. and 1.8.

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 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 leads to a suspicious webpage blocked for reasons of security threat.

Panels have held that the use of a domain name for illegitimate activity here claimed distributing malware, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's GLOBANT trademark and the composition of the disputed domain name. Indeed, the disputed domain name includes entirely the distinctive GLOBANT mark along with the letters "ar" as a potential reference to Argentina, the country where the GLOBANT business was founded over 20 years ago. Consequently, the Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent the finding of bad faith under the Policy.

Additionally, Panels have held that the use of a domain name for illegitimate activity here claimed distributing malware constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Taking all the circumstances into consideration, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy and 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 <arglobant.com> be transferred to the Complainant.

*/Theda König Horowicz/*

**Theda König Horowicz**

Sole Panelist

Date: January 7, 2026