

ADMINISTRATIVE PANEL DECISION

First Advantage Corporation v. Ashini Jain, C
Case No. D2025-4735

1. The Parties

The Complainant is First Advantage Corporation, United States of America (“United States”), represented by Shumaker, Loop & Kendrick, LLP, United States.

The Respondent is Ashini Jain, C, India.

2. The Domain Name and Registrar

The disputed domain name <fadvindia.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 14, 2025. On November 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 17, 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 (John Doe) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 18, 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 November 18, 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 November 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 19, 2025.

The Center appointed Andrew D. S. Lothian as the sole panelist in this matter on December 26, 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 the Complaint, the Complainant is a Delaware, United States, corporation, with its principal address in Atlanta, Georgia, United States. The Complainant states that it was founded in 2003, adding that it provides employment background checks, identity, and verification services globally, including to customers in India. It claims, but does not evidence, that it is a large publicly traded company with strong brand recognition, stating also that its official domain name is <fadv.com>, used for its official website since 2003. The Panel notes in passing, based upon contact details provided in the Complaint, that this domain name appears to be used for the Complainant's official corporate email addresses.

The Complainant is the owner of a variety of registered trademarks for the mark FIRST ADVANTAGE, including, for example:

United States Registered Trademark Number 3161546 for the word mark FIRST ADVANTAGE, registered on October 24, 2006, in Classes 35 (drug testing program management), and 45 (background investigation services including pre-employment background investigations); and

United States Registered Trademark Number 3616029 for the word mark FIRST ADVANTAGE, registered on May 5, 2009, in Classes 35 (business consultation and information services including processing of electronic employment applications), 36 (credit and financial consultation services), 39 (storage of fingerprints), 42 (provision of driver qualification systems), 44 (drug testing and driver screening services), and 45 (pre-employment, and other background inquiries and investigations and evaluations).

The Complainant also claims unregistered trademark rights in the term FADV, an abbreviation of its registered trademarks, which it states has been used in connection with its said official website and official domain name since 2003 in connection with background screening, identity verification, and compliance solution services.

The Complainant states, but does not independently evidence, that the disputed domain name was originally registered and owned by a company named Zapapp India Pvt. Ltd. from about 2005 until approximately 2014, which company later changed its name to First Advantage Offshore Services Private Limited and then to First Advantage Global Operating Center Private Limited. The Complainant adds that said company was an affiliate of the Complainant. The Complainant says that, during this period, the disputed domain name was used to support legitimate business activities under the FADV INDIA mark, referencing the Complainant's presence in the Indian market. The Complainant also states, without evidence, that the disputed domain name lapsed, was registered by unknown parties, and was renewed on or about June 9, 2025.

According to information received from the Registrar, the disputed domain name was registered on June 9, 2025. Little is known about the Respondent other than that it appears to be a private individual based in Uttar Pradesh, India. The Respondent has not participated in the administrative proceeding. According to a screenshot produced by the Complainant, the website associated with the disputed domain name displays pay-per-click ("PPC") advertising including an advertisement relating to human resources services, which are broadly in line with the services provided by the Complainant.

The Complainant produces evidence suggesting that between August 2025, and September 2025, the disputed domain name was used to send emails in a fraudulent scheme designed to extort money from a potential employment candidate for false background checks which the candidate had not requested. Emails sent under the disputed domain name bore to be from "First Advantage" using an email address

incorporating the term “hr” which the Panel notes is commonly used as an abbreviation for “Human Resources”. On September 15, 2025, a representative of the said potential candidate replied twice to the Respondent’s said email address indicating that said potential candidate had never applied for a job that would trigger a “BGV request” (which the Panel understands to reference a background verification request), noting that the candidate had been coerced into paying a sum of money (amount provided), that a further demand had been made for a “security deposit”, and that the writer believed that those behind the said email address were involved in extortion and identity harvesting, whereby a criminal complaint would be forthcoming. The writer noted that it had tagged “your senior management, and compliance teams”. It appears that these emails came to the Complainant’s notice shortly thereafter.

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 its domain name <fadv.com>, its FIRST ADVANTAGE registered trademarks, and its claimed unregistered FADV mark are widely recognized in the employment screening and risk management industry, and have been developed and promoted extensively over the past two decades.

The Complainant contends that the dominant element of the disputed domain name is “fadv” and that this is identical to its claimed unregistered mark, and is an abbreviation of its FIRST ADVANTAGE mark, which serves as a source identifier for the Complainant. The Complainant notes that the addition of “india” to this mark represents a geographic identifier which suggests affiliation with the Complainant’s operations in India, which it says (but does not evidence) were commonly referred to as “FADV India”. The Complainant notes that any confusion is heightened by the Respondent’s use of email addresses which impersonate the Complainant, and which resemble the Complainant’s official email addresses. The Complainant submits that the disputed domain name was chosen to mislead users into believing it is affiliated with the Complainant.

The Complainant notes that the Respondent is not affiliated with the Complainant, is not authorized or licensed to use the Complainant’s trademarks, and is not commonly known by the disputed domain name, adding that there is no evidence that the Respondent has used or prepared to use the disputed domain name in connection with a bona fide offering of goods or services, and that, to the contrary, the disputed domain name has been used for a fraudulent email campaign impersonating the Complainant’s operations team, targeting job candidates, and soliciting money and sensitive information. The Complainant states that such activity is neither bona fide, nor fair use, and that illegal activity, such as phishing, cannot confer any rights or legitimate interests upon the Respondent. The Complainant asserts that the website associated with the disputed domain name has been either inactive or intermittently inactive, negating any possible legitimate interest in the disputed domain name.

The Complainant asserts that the Respondent registered or acquired the disputed domain name to capitalize on the Complainant’s trademarks, adding that the Complainant’s longstanding presence in the employment screening industry supports the conclusion that the Respondent deliberately targeted the Complainant’s brand to deceive users and misappropriate its goodwill. The Complainant notes that the disputed domain name has been used to send emails that impersonate the Complainant’s operations team, and which closely resemble emails from the Complainant’s legitimate email addresses, creating a false impression of authenticity and affiliation. The Complainant notes that said emails requested sensitive personal information, and in some cases, solicited payments under the guise of processing employment applications. The Complainant adds that it discovered the scheme after receiving reports from affected individuals and confirmed the unauthorized nature of the communications through an internal investigation.

The Complainant asserts that the Respondent's conduct is designed to attract, for commercial gain, Internet users by creating a likelihood of confusion as to source, sponsorship, affiliation, or endorsement on the Complainant's part, and is also designed to disrupt the business of a competitor. The Complainant submits that the Respondent used a privacy/proxy service to conceal its identity, and that this, when combined with the impersonation and fraudulent activity, further supports an inference of bad faith, adding that the renewal of the disputed domain name long after the Complainant had established its rights further supports an inference of bad faith.

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 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.

The above finding relates to the Complainant's registered trademarks FIRST ADVANTAGE. The Complainant also claims rights in an unregistered trademark FADV. In order to establish such unregistered trademark rights, a complainant must typically demonstrate by way of independent evidence that such mark has acquired a secondary meaning and has become a distinctive identifier which consumers associate with its goods and services, along the lines indicated by [WIPO Overview 3.0](#), section 1.3, for example, evidence demonstrating (i) the duration and nature of use of the mark, (ii) the amount of sales under the mark, (iii) the nature and extent of advertising using the mark, (iv) the degree of actual public (e.g., consumer, industry, media) recognition, and (v) consumer surveys.

[WIPO Overview 3.0](#), section 1.3 goes on to note that specific evidence supporting assertions of acquired distinctiveness should be included in the complaint, adding that conclusory allegations of unregistered or common law rights, even if undisputed in the particular UDRP case, would not normally suffice to show secondary meaning. Here, the Complainant's case faces a problem in that it has produced no supporting evidence of such secondary meaning, and has restricted itself to conclusory allegations, other than noting its longstanding use of the domain name <fadv.com> for its business and demonstrating that the Respondent has referenced both the Complainant's FIRST ADVANTAGE registered mark by the inclusion of the term "First Advantage" and the initialism "fadv" in the email addresses which it used in connection with an apparent phishing scheme.

In this particular instance, the Panel considered that it might be relatively straightforward to determine from readily available public sources whether the Complainant's business has operated via the <fadv.com> domain name and has used a correspondingly associated website since 2003 by consulting the Internet Archive "Wayback Machine". The results of this basic and limited research demonstrated to the Panel's satisfaction that the Complainant had indeed been using said domain name for its website from that date.¹ In addition, the Complainant's position that it was likewise using said domain name for its official email addresses was borne out by the contact email addresses for the Complainant provided in the Complaint. These details on their own might not have been enough to establish the Complainant's claimed rights in the FADV unregistered mark were it not for the fact that there is undisputed evidence before the Panel that said mark has been targeted by the Respondent in a phishing scheme whereby the "fadv" element of the disputed domain name is clearly intended by the Respondent to refer to the Complainant's business, given the inclusion of the Complainant's FIRST ADVANTAGE trademark in the email address used in conjunction with the disputed domain name, and the fact that the said scheme relates to employee background checks, being the Complainant's line of business.

The fact that a respondent is shown to have been targeting the complainant's mark (e.g., based on the manner in which the related website is used) may support the complainant's assertion that its mark has achieved significance as a source identifier. [WIPO Overview 3.0](#), section 1.3.

The Panel finds the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here, "india" may bear on assessment of the second and third elements, the Panel finds 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.

In specific limited instances, while not a replacement as such for the typical side-by-side comparison, where a panel would benefit from affirmation as to confusing similarity with the complainant's mark, the broader case context such as website content trading off the complainant's reputation, or a pattern of multiple respondent domain names targeting the complainant's mark within the same proceeding, may support a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.7. Here, as discussed above, the broader case context relating to the use of the disputed domain name for a phishing scheme impersonating the Complainant in which the email address used incorporates the Complainant's registered trademark supports such a finding.

The Panel notes for completeness that even if it had found that the Complainant had not established unregistered trademark rights in the FADV mark due to lack of supporting evidence, it would nevertheless have found that the term "fadv", as used in the disputed domain name, represents a recognizable abbreviation of the Complainant's FIRST ADVANTAGE mark, not least because the manner of its use in the email address adopted by the Respondent clearly signify the Respondent's intent to include a representation of the Complainant's FIRST ADVANTAGE trademark in this abbreviated manner. On this subject, the Panel recalls and adopts the analysis of the panel in *The University of Houston System v. William Morocco, Kenneth Stone, Cole Brad*, WIPO Case No. [D2024-5016](#) regarding confusing similarity between the domain

¹ With reference to the Panel conducting independent research of publicly available sources, see the [WIPO Overview 3.0](#), section 4.8. The Panel determined that it was unnecessary to put the results of its research to the Parties in this case because the Complaint unequivocally asserted the Complainant's longstanding use of its disputed domain name since 2003, such that the issue was already before the Parties. The Panel notes however for the Complainant's attention that not all panels under the Policy would necessarily have carried out this research, and should the Complainant require to bring further complaints under the Policy of a similar nature, it may prefer to set out suitable independent evidence of its history and activities under the FADV mark, rather than relying on a future panel to conduct any research as the Panel has done here.

names <huot.education>, <uht.education>, and <uoht.education>, and the trademark UNIVERSITY OF HOUSTON, (and the other relevant cases cited therein), in which the panel found that abbreviations or acronyms for a trademark may be confusingly similar to that trademark for the purposes of the first element under the Policy.

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.

Panels have held that the use of a domain name for illegal activity, here, claimed phishing/impersonation and extortion, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Furthermore, the use of the disputed domain name to host a parked page comprising PPC links does not represent a bona fide offering where, as here, such links compete with or capitalize on the reputation and goodwill of the complainant’s mark or otherwise mislead Internet users. [WIPO Overview 3.0](#), section 2.9.

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name in June 2025, and that by about August 2025, the disputed domain name was used in a phishing scheme in an attempt (which may have been partially successful on the evidence before the Panel) to extort money from an employment candidate by way of payment for a false background check. In such scheme, the Respondent impersonated the Complainant’s operations team, and used the disputed domain name in an email address referencing “hr”, and the Complainant’s FIRST ADVANTAGE trademark, in connection with alleged employment screening services of the kind that the Complainant provides.

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.

Panels have held that the use of a domain name for illegal activity, here, the claimed phishing, impersonation and extortion scheme outlined above, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Finally, and for completeness, the Panel notes with regard to the third party automatically generated PPC links on the website associated with the disputed domain name, one of which directly references the Complainant's line of business, panels have held that a respondent cannot disclaim responsibility for content appearing on the website associated with its domain name (nor would such links ipso facto vest the respondent with rights or legitimate interests). [WIPO Overview 3.0](#), section 3.5.

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 disputed domain name <fadvindia.com> be transferred to the Complainant.

/Andrew D. S. Lothian/

Andrew D. S. Lothian

Sole Panelist

Date: January 9, 2026