

## ADMINISTRATIVE PANEL DECISION

Kimley-Horn and Associates, Inc. v. Victorialad Gabriella, lovey nolove,  
KimleyHorn, Name Redacted, Kimley Horn  
Case No. D2025-5332

### 1. The Parties

Complainant is Kimley-Horn and Associates, Inc., United States of America (“United States”), represented by Nelson Mullins Riley & Scarborough, LLP, United States.

Respondents are Victorialad Gabriella; lovey nolove, KimleyHorn; and Name Redacted,<sup>1</sup> Kimley Horn, United States. Noting the Panel’s finding below on consolidation, the Respondents shall be collectively referred to as “Respondent”.

### 2. The Domain Names and Registrar

The disputed domain names <kimley-hornjobs.store>, <kimleyhornjobs.store>, and <kimleyhornjob.store> are registered with NameCheap, Inc. (the “Registrar”).

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 19, 2025. On December 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On December 22, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on December 22, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on December 30, 2025.

---

<sup>1</sup> 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 names, 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Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case.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](#).

The Center sent an email communication to Complainant on December 22, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint on December 30, 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 Respondent of the Complaint, and the proceedings commenced on January 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was January 28, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on January 29, 2026.

The Center appointed Colin T. O'Brien as the sole panelist in this matter on February 2, 2026. 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**

Complainant is a planning, engineering, and design consulting firm. Since 1967, Complainant has extensively and continuously used the KIMLEY-HORN trademark in connection with the marketing, advertising, promotion, and provision of Complainant's services.

Complainant applied for and owns the following federal trademark registrations:

KIMLEY-HORN, Registration Number 2,788,474, registered December 2, 2003, for "financial analysis and consultation services" in Class 36, "engineering consultation; design for others in the field of engineering; computer software design for others; environmental consultation services, namely, reviewing standards and practices to assure compliance with environmental laws and regulations" in Class 42.

**Kimley»Horn** , Registration Number 4,685,771, registered February 10, 2005, for "financial analysis and consultation services" in Class 36, "engineering consultation; design for others in the field of engineering; computer software design for others; environmental consultation services, namely, reviewing standards and practices to assure compliance with environmental laws and regulations" in Class 42.

Complainant owns and has continually used the <kimley-horn.com> domain name since at least as early as April 12, 1996.

The disputed domain names were registered on September 23, 2025, and did not resolve to active websites, but did have associated MX servers.

On November 1, 2025, Complainant filed a URS proceeding to have the disputed domain names suspended from being put towards any such uses and Complainant succeeded in its URS proceeding and the disputed domain names were suspended per decision of November 19, 2025.

One of Complainant's employees began receiving messages through LinkedIn from individuals who were apparently receiving emails from "[...]@kimleyhornjobs.store" about alleged job openings with the company and the individuals were trying to verify the authenticity of the emails because they were suspicious of the email address.

## **5. Parties' Contentions**

### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, Complainant contends that long prior to Respondent's registration of the disputed domain names Complainant obtained common law rights in the KIMLEY-HORN Mark, dating back as early as 1967 when Complainant was founded and first began using the KIMLEY-HORN trademark. Subsequently, yet still long prior to registration of the disputed domain names, Complainant obtained United States federal trademark registrations for the KIMLEYHORN Mark, specifically, obtaining a registration for the KIMLEY-HORN (word) trademark on December 2, 2003, and the KIMLEY-HORN (stylized) trademark on February 10, 2015.

The disputed domain names are unquestionably confusingly similar to the KIMLEY-HORN mark as it is clearly recognizable in the disputed domain names as they incorporate the KIMLEY-HORN mark plus the added generic words "job" or "jobs". The addition of these terms does not prevent a finding that the disputed domain names are confusingly similar to the KIMLEY-HORN mark. Rather, Respondent's choice to combine the KIMLEY-HORN mark with the words "job" or "jobs" only serves to increase the confusing similarity between the disputed domain names and the KIMLEY-HORN mark because the words "job" or "jobs" have a direct connection to any company that hires employees, and even more so when you factor in Respondent's actual use of the disputed domain names.

Respondent has no prior rights or legitimate interest in the disputed domain names. Complainant believes that Respondent is not commonly known by, and will not be disclosed as being known by, the distinctive KIMLEY-HORN mark and there is nothing in the record to date that would indicate otherwise.

Complainant has not authorized Respondent to use the KIMLEY-HORN mark nor is Respondent a licensee of the KIMLEY-HORN Mark. Respondent has not made a bona fide use of the disputed domain names. Respondent appears to have registered the disputed domain names solely for the purpose of impersonating Complainant in furtherance of a job offer scam.

Respondent's use of the disputed domain names in furtherance of such illegal activity can never provide Respondent with any rights or legitimate interests in the disputed domain names for purposes of the Policy. Lastly, Complainant notes that a URS panel has already found that Respondent lacked any rights or legitimate interest in the disputed domain names even before Complainant was made aware of Respondent's attempted job offer scam, which Complainant submits only further confirms the URS panel's finding that Respondent lacks rights or a legitimate interest in the disputed domain names.

There can be no doubt that Respondent knew of Complainant and Complainant's KIMLEY-HORN mark when it registered the disputed domain names as evidenced by the fact that Respondent impersonated an actual employee of Complainant.

Turning to Respondent's use of the disputed domain names in bad faith, all the reasons discussed above establishing Respondent's registration of the disputed domain names in bad faith equally and undoubtedly establishes Respondent's bad faith use of the disputed domain names under Paragraphs 4(b)(i), (iii), and (iv) of the Policy. Use of the Domain Names in connection with an attempted job offer scam is use of the disputed domain names in furtherance of illegal activities and use of a domain name in this manner is evidence of bad faith.

### **B. Respondent**

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

## 6. Discussion and Findings

The amended Complaint was filed in relation to nominally different domain name registrants. Complainant alleges that the domain name registrants are the same entity or under common control. Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names were all registered on the same day, all contain Complainant's trademark, have a similar composition, and were all subject to a URS proceeding which gave any registrant the right to answer the URS complaint or to assert that they were not associated with the other registrants, which did not happen. The decision on that URS proceeding also found that the disputed domain names were registered by the same entity. Given the totality of the evidence the Panel concludes that the disputed domain names are under common control and this case should be consolidated.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants in a single proceeding.

### A. Identical or Confusingly Similar

Complainant has demonstrated it owns long-standing registered and common law trademark rights in the KIMLEY-HORN mark. The Top-Level Domain ("TLD") ".store" is viewed as a standard registration requirement and as such may be disregarded under the first element confusing similarity test. See [WIPO Overview 3.0](#), section 1.11. Accordingly, the disputed domain names reproduce the KIMLEY-HORN mark in its entirety – minus the hyphen in case of <kimleyhornjobs.store>, and <kimleyhornjob.store> – and the mark is recognizable within the disputed domain names.

Accordingly, the disputed domain names are confusingly similar to the mark in which the Complainant has rights and the first element of the Policy is established.

### B. Rights or Legitimate Interests

Complainant has presented a prima facie case that Respondent has no rights or legitimate interests in respect of the disputed domain names and has not been commonly known by the disputed domain names. The fact that Respondent registered the disputed domain names which incorporate Complainant's registered and well-known KIMLEY HORN trademark and merely adds the descriptive terms "job"/ "jobs" indicates that Respondent likely sought to impersonate Complainant and piggyback on the mark for illegitimate reasons, namely, to engage in a phishing scheme targeting employees and potential employees of Complainant (a conclusion supported by Complainant's evidence, including the URS proceeding's decision, and not denied by Respondent).

After a complainant has made a prima facie case, the burden of production shifts to a respondent to present evidence demonstrating rights or legitimate interests in the domain name. See, e.g., *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#).

Here, Respondent has not come forward with any evidence of any rights or legitimate interests in the disputed domain names. Moreover, the use of a domain name for illegal activity, such as to send fraudulent emails, can never confer rights or legitimate interests upon a respondent. [WIPO Overview 3.0](#), section 2.13.

In the absence of any evidence rebutting Complainant's prima facie case indicating Respondent's lack of rights or legitimate interests in respect of the disputed domain names, the Panel finds that Complainants have satisfied paragraph 4(a)(ii) of the Policy.

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

The disputed domain names were registered many years after Complainant first registered and used the well-known KIMLEY-HORN trademark. The evidence on the record provided by Complainant with respect to the extent of use and fame of KIMLEY-HORN trademark is sufficient to satisfy the Panel that, at the time the disputed domain names were registered, Respondent undoubtedly knew of Complainant's KIMLEY-HORN trademark.

The Panel cannot contemplate any other reason as to why Respondent would have registered the disputed domain names containing the entirety of the KIMLEY-HORN trademark with the descriptive terms "job" or "jobs" other than to target and unfairly benefit from the reputation and goodwill associated with Complainant's mark.

Further, the Panel finds the use of the disputed domain names by Respondent is in bad faith. Paragraph 4(b)(iv) states that evidence of bad faith may include a respondent's use of a domain name to intentionally attempt to attract, for commercial gain, Internet users to the respondent's web site or other online location, by creating a likelihood of confusion with the complainant's mark. Complainant has alleged and provided evidence that Respondent used the disputed domain name <kimleyhornjobs.store> to send fraudulent emails to individuals interested in employment with Complainant, which amounts to bad faith use on the part of Respondent. The Panel also finds that the seemingly non-use of the disputed domain names <kimley-hornjobs.store> and <kimleyhornjob.store> does not prevent a finding of bad faith, noting in particular the notoriety of Complainant's mark and the composition of the disputed domain names.

In the absence of any evidence or explanation from Respondent, the Panel finds that the only plausible basis for registering and using the disputed domain name has been for illegitimate and bad faith purposes.

Accordingly, the Panel finds that Complainant has satisfied paragraph 4(a)(iii) 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 names <kimley-hornjobs.store>, <kimleyhornjobs.store>, and <kimleyhornjob.store> be transferred to Complainant.

*/Colin T. O'Brien/*

**Colin T. O'Brien**

Sole Panelist

Date: February 16, 2026