

ADMINISTRATIVE PANEL DECISION

PrideStaff, Inc. v. Daisuke Nakashima, Nakashima Daisuke
Case No. D2026-0365

1. The Parties

The Complainant is PrideStaff, Inc., United States of America (USA or United States), represented by FBT Gibbons LLP, USA.

The Respondent is Daisuke Nakashima, Nakashima Daisuke, Japan.

2. The Domain Names and Registrar

The disputed domain names <bepridestaff.com>, and <bepridestaff.net> are registered with GMO Internet, Inc. d/b/a Discount-Domain.com (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on January 28, 2026. On January 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On January 30, 2026, 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 (REDACTED FOR PRIVACY/ Whois Privacy Protection Service by onamae.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 30, 2026, 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 in English on February 3, 2026.

On January 30, 2026, the Center informed the parties in Japanese and English, that the language of the registration agreement for the disputed domain name is Japanese. On February 3, 2026, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 Japanese and English of the Complaint, and the proceedings commenced on February 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 11, 2026.

The Center appointed Erica Aoki as the sole panelist in this matter on March 19, 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

The Complainant is PrideStaff, Inc., a United States corporation founded in 1978 and operating as a professional staffing firm. The Complainant provides employment and recruitment services to both employers and job seekers and operates more than 85 offices across the United States.

Through decades of operation and substantial investment in marketing, the Complainant has established significant goodwill and reputation in the staffing sector under the PRIDESTAFF mark, which it has used in connection with its services since at least as early as 1995. The Complainant owns and operates the domain name <pridestaff.com>, which it has used since 1996 as a primary online platform through which users can access information about its services and apply for employment opportunities.

The Complainant is the owner of trademark rights in the mark PRIDESTAFF, including:

- United States Trademark Registration No. 2,116,589 for PRIDESTAFF, registered on November 25, 1997, in International Class 35, covering employment agency, personnel placement, recruitment, and related staffing services, with a claimed first use date of March 1, 1995.

The PRIDESTAFF trademark has been used continuously and exclusively in connection with the Complainant's services and has acquired significant goodwill and recognition in the staffing industry.

The Complainant has received numerous industry awards and recognitions, including repeated "Best of Staffing" awards, further demonstrating the strength and reputation of the PRIDESTAFF mark. The disputed domain names <bepridestaff.com> and <bepridestaff.net> were registered on March 18, 2025.

According to the record, the disputed domain names do not resolve to active websites. Instead, they display an error message indicating that the page is unavailable.

The record further indicates that Mail Exchange("MX") records have been configured for both disputed domain names, enabling the use of email addresses associated with the domain names.

The Respondent initially used a privacy protection service. Registrar verification later identified the underlying registrant as an individual located in Japan.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied all three elements required under paragraph 4(a) of the Policy.

First, the Complainant asserts that the disputed domain names are confusingly similar to its well-known PRIDESTAFF trademark. Each disputed domain name incorporates the PRIDESTAFF trademark in its entirety, with the addition of the prefix "be".

According to the Complainant, the addition of this term, which may be perceived as a call to action, does not prevent a finding of confusing similarity and instead reinforces the impression of an affiliation with the Complainant's employment and recruitment services.

Second, the Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain names.

The Respondent is not affiliated with the Complainant and has never been authorized or licensed to use the PRIDESTAFF trademark.

There is no evidence that the Respondent is commonly known by the disputed domain names. The Complainant further argues that the composition of the disputed domain names creates a misleading impression of affiliation and does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

Third, the Complainant contends that the disputed domain names were registered and are being used in bad faith.

Given the Complainant's longstanding and well-known PRIDESTAFF trademark, the Respondent must have been aware of the Complainant's rights at the time of registration. The Complainant submits that the Respondent registered the disputed domain names to capitalize on the Complainant's reputation and to create a likelihood of confusion as to source, sponsorship, affiliation, or endorsement.

The Complainant further points to the configuration of MX records for the disputed domain names, which enables the use of email addresses associated with the domain names and creates a risk of fraudulent or deceptive email communications. According to the Complainant, such circumstances further support a finding of bad faith.

The Complainant also submits that the passive holding of the disputed domain names does not prevent a finding of bad faith.

Accordingly, the Complainant requests that the disputed domain names be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain names are identical or confusingly similar to a mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in the disputed domain names; and
- (iii) the disputed domain names were registered and are being used in bad faith.

A. Language of the Proceeding

The language of the Registration Agreement for the disputed domain names is Japanese. Paragraph 11(a) of the Rules provides that, unless otherwise agreed by the Parties or specified in the Registration Agreement, the language of the administrative proceeding shall be the language of the Registration Agreement, subject to the Panel's authority to determine otherwise having regard to the circumstances of the case.

As recognized by prior UDRP panels, paragraph 11 of the Rules must be applied in light of the principles set out in paragraphs 10(b) and 10(c) of the Rules, namely that the parties are treated with equality, that each party is given a fair opportunity to present its case, and that the proceeding takes place with due expedition. In determining the appropriate language of the proceeding, the Panel considers all relevant circumstances, including whether the Respondent appears able to understand the language of the Complaint, whether requiring translation would result in undue delay or expense, and whether proceeding in a different language would cause prejudice to either party.

Section 4.5.1 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)) provides that panels may determine a language other than that of the registration agreement where appropriate, including where the respondent can understand the language of the complaint, or where requiring translation would impose an unnecessary burden on the complainant.

In the present case, the Complainant has requested that English be the language of the proceeding for several reasons, including the fact that (i) the disputed domain names are formed by words expressed in English characters; (ii) the contents of the websites associated with the disputed domain names are in English; and (iii) requiring the Complainant to translate the Complaint into Japanese and continue with the proceedings in Japanese would cause “potential unfairness or unwarranted delay” in resolving the dispute. The Center notified the Respondent in both Japanese and English regarding the language of the proceeding and invited the Respondent to submit any objection. The Respondent did not object.

The Panel further notes that the Complaint was notified to the Respondent in both Japanese and English, and that the Respondent was expressly informed that it could submit a Response in either language. The Respondent did not submit any Response.

In these circumstances, the Panel finds that proceeding in English would not unfairly prejudice the Respondent and would ensure an efficient resolution of the dispute.

Accordingly, the Panel determines that English shall be the language of the proceeding.

B. Identical or Confusingly Similar

The Panel finds that the Complainant has established rights in the PRIDESTAFF trademark through its registered trademark rights.

Each of the disputed domain names incorporates the Complainant’s PRIDESTAFF trademark in its entirety as its dominant element. The addition of the prefix “be” does not prevent a finding of confusing similarity.

Panels have consistently held that the addition of terms (in this case “be”) does not prevent the finding of confusing similarity where the complainant’s trademark remains clearly recognizable within the domain name ([WIPO Overview 3.1](#), section 1.8).

The generic Top-Level Domains (“gTLDs”) “.com” and “.net” are disregarded for the purposes of this comparison ([WIPO Overview 3.1](#), section 1.11.1).

Accordingly, the Panel finds that the disputed domain names are confusingly similar to the Complainant’s trademark.

The first element of the Policy has been established.

C. Rights or Legitimate Interests

The Panel finds that the Complainant has established a prima facie case where the Respondent lacks rights or legitimate interests in the disputed domain names.

The Respondent is not affiliated with the Complainant and has not been authorized or licensed to use the PRIDESTAFF trademark in any manner. There is no evidence that the Respondent has been commonly known by the disputed domain names.

According to the available record, the disputed domain names have not been used in connection with a bona fide offering of goods or services and have not resolved to active websites. The Panel further notes that MX records have been configured for both disputed domain names, enabling the use of associated email addresses. Such configuration, in the absence of any credible legitimate use may indicate a risk of deceptive or abusive email activity.

Panels have recognized that the mere passive holding of a domain name does not, in itself, confer rights or legitimate interests.

The Respondent has not submitted any Response or evidence to rebut the Complainant's prima facie showing or to demonstrate any of the circumstances set out in paragraph 4(c) of the Policy.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain names.

The second element of the Policy has been established.

D. Registered and Used in Bad Faith

The Panel finds that the disputed domain names were registered and are being used in bad faith.

The Complainant's PRIDESTAFF trademark is distinctive and has been used for decades, with rights dating back to at least 1995, well before the registration of the disputed domain names on March 18, 2025.

In these circumstances, the Panel finds it implausible that the Respondent was unaware of the Complainant and its trademark at the time of registration.

Each disputed domain name incorporates the Complainant's trademark in its entirety, together with the prefix "be", which reinforces an apparent association with the Complainant's staffing and recruitment services.

The Panel considers that this composition demonstrates that the Respondent targeted the Complainant's mark when registering the disputed domain names.

The Panel further notes that MX records have been configured for both disputed domain names. This enables the Respondent to potentially send and receive emails using addresses associated with the disputed domain names, thereby creating a risk of confusion, impersonation, or fraudulent communications. Panels have recognized that such configuration may support a finding of bad faith.

Although the disputed domain names do not resolve to active websites, the Panel finds that the passive holding of the disputed domain names, in the circumstances of this case, does not prevent a finding of bad faith.

These circumstances include (i) the distinctiveness of the Complainant's mark, (ii) the composition of the disputed domain names, (iii) the absence of any plausible legitimate use, and (iv) the Respondent's failure to participate in the proceedings.

This approach is consistent with the principles set out in *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#).

The Respondent's failure to submit a Response further suggests the inference of bad faith. Accordingly, the Panel finds that the disputed domain names were registered and are being used in bad faith.

The third element of the Policy has been established.

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 <bepridestaff.com>, and <bepridestaff.net> be transferred to the Complainant.

/Erica Aoki/

Erica Aoki

Sole Panelist

Date: March 24, 2026