

ADMINISTRATIVE PANEL DECISION

International Business Machines Corporation v. Hr Recruitment, hribm
Case No. D2026-1796

1. The Parties

Complainant is International Business Machines Corporation, United States of America ("United States"), represented internally.

Respondent is Hr Recruitment, hribm, United States.

2. The Domain Name and Registrar

The disputed domain name <hrusibm.com> is registered with Squarespace Domains II LLC ("Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center ("Center") on April 27, 2026. On April 28, 2026, the Center transmitted by email to Registrar a request for registrar verification in connection with the disputed domain name. On April 28, 2026, Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from that in the Complaint (e.g., the Complaint named "John Doe;" the registrant was listed as "Redacted for Privacy" in the Whois records). The Center sent an email communication to Complainant on April 29, 2026, providing the registrant and contact information disclosed by Registrar and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on May 1, 2026.

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 ("Policy"), the Rules for Uniform Domain Name Dispute Resolution Policy ("Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy ("Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on May 5, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 25, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on May 26, 2026.

The Center appointed Debra J. Stanek as the sole panelist in this matter on June 1, 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 technology and consulting organization with locations worldwide. It owns a number of trademark registrations, in the United States and throughout the world for the “IBM” mark, including:

- United States Registration No. 640,606, registered on January 29, 1957, magnetic recording tape.
- United States Registration No. 1,243,930, registered on June 28, 1983, for computer time sharing services.

The disputed domain name was created on September 5, 2025. Both at the time the Complaint was filed and at the time of this Decision, it resolves to an inactive website. The Complaint indicates that Respondent used the disputed domain name in an email address used to send messages purporting to be from one of its employees.

Prior to filing the Complaint, Complainant sent cease and desist letters to Respondent through Registrar at the email address listed in the WhoIs record but did not receive a response.

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 name.

In particular:

- Complainant is a long-established and well-known global brand.
- The disputed domain name consists of the letters “hr,” a common acronym for “human resources,” “us,” an acronym for the geographic designation “United States,” and Complainant’s IBM mark.
- Complainant has not authorized anyone to use the disputed domain name.
- Respondent must have been aware of Complainant’s marks when it registered the disputed domain name:
- Complainant’s rights in its IBM mark predate registration by at least 63 years and are known throughout the world.
- Complainant used the disputed domain name in to impersonate an employee in Complainant’s United States-based human resources division. Respondent created an “ibmopps” email address from the disputed domain name. The email address was used in an email exchange with a third party to make an offer of employment purporting to be from Complainant, including attaching correspondence on letterhead displaying Complainant’s IBM mark. The correspondence requested a copy of the third party’s passport or visa, among other things.
- A third party tool indicates that the disputed domain name is associated with IP addresses linked to malware.
- Respondent did not respond to Complainant’s cease and desist letter.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

To prevail under the Policy a complainant must prove, as to the domain name at issue, that: (a) it is identical or confusingly similar to a mark in which the complainant has rights; (b) respondent has no rights or legitimate interests in respect to it; and (c) it has been registered and is being used in bad faith. Policy, paragraph 4(a). A respondent's failure to respond does not automatically result in a finding for the complainant; the complainant continues to have the burden of establishing each element. Rules, paragraphs 5(f) and 14(a); see also WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3. The Panel may, however, draw appropriate inferences from the default. See Rules, paragraph 14(b).

The Panel determines that "HR Recruitment, hribm," the registrant disclosed by the Registrar, is the appropriate Respondent. See [WIPO Overview 3.1](#), section 4.4.5 (in cases involving a privacy service, the Panel has discretion to determine the appropriate respondent).

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 disputed domain name. [WIPO Overview 3.1](#), section 1.7.

Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The disputed domain name is not identical to Complainant's mark; however, the entire IBM mark is contained in the disputed domain name after "hrus." Despite the addition of "hr" and "us", the Panel finds the mark is recognizable within the disputed domain name. Although the addition may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in proceedings under the Policy 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 remains on the complainant). If the respondent fails to come forward with relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

The Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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. Further, Complainant has provided credible evidence that Respondent used the disputed domain name to impersonate Complainant in communicating with a candidate for employment. Consistent with determinations by other panels, the Panel finds that such a use does not confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), 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 3.1](#), section 3.2.1.

Complainant's evidence shows: Complainant's IBM mark is extremely well-known. Complainant's rights in the mark long predate registration of the disputed domain name. Respondent knew of Complainant and Complainant's mark, using it to pass itself off as Complainant in communicating with a third party as part of a fraudulent email scheme. Like other panels, the Panel determines that use of a dispute domain name for impersonation and passing off constitutes bad faith. See [WIPO Overview 3.1](#), section 3.4. In addition, Respondent did not respond to the Complaint and concealed its identity in the publicly-available Whois.

Under these circumstances, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds 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 name <hrusibm.com> be transferred to Complainant.

/Debra J. Stanek/

Debra J. Stanek

Sole Panelist

Date: June 15, 2026