ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Hays plc v. Name Redacted
Case No. D2026-4483

1. The Parties

The Complainant is Hays plc, United Kingdom, represented by Haseltine Lake Kempner LLP, United Kingdom.

The Respondent is Name Redacted.[1]

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 2, 2026. On October 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 5, 2026, 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 6, 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 on October 6, 2026.

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").

[1] The Respondent appears to have used the name and contact details of the Complainant and one of its employees 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 name, 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Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case.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.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on October 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 28, 2026.

The Center appointed Tobias Malte Müller as the sole panelist in this matter on October 28, 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 describes itself as a leading provider of recruitment and human resources services, which has been operating in the specialist recruitment sector since 1968.

The Complainant is the registered proprietor of numerous registered trademarks for HAYS in various jurisdictions around the world, including the following registrations:

- United Kingdom trademark No. UK00900005637 for HAYS (word mark) registered on October 19, 1999, for services in class 35; and

- United Kingdom trademark No. UK00001395978 for HAYS (figurative) registered on October 16, 1992, for services in class 35.

The disputed domain name was registered on August 11, 2026. The Complainant has submitted undisputed evidence that the disputed domain name was used to send phishing emails impersonating its APAC CEO, including through the use of his name and photograph. These emails offered fictitious employment opportunities and solicited recipients' CVs and personal data.

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:

(1) the disputed domain name is confusingly similar to its HAYS trademark because it reproduces the mark in its entirety as its dominant and initial element. The addition of the descriptive term "recruiter", which refers to its recruitment services, does not distinguish the disputed domain name from its mark;

(2) it did not authorize the registration of the disputed domain name and there is no evidence that the Respondent is commonly known by it. Rather, when registering the disputed domain name, the Respondent falsely identified "Hays Plc" as its organization and impersonated one of the Complainant's recruitment consultants to lend credibility to the registration. The Complainant's rights in the HAYS mark predate the disputed domain name's registration by decades, and the addition of "recruiter" reinforces the false impression of affiliation with its recruitment business. The disputed domain name was used to send phishing emails impersonating its APAC CEO, including through use of his photograph. The emails offered fictitious employment opportunities and solicited recipients' CVs and personal data. This conduct risks misuse of personal data and damage to its reputation, goodwill and client relationships;

(3) the Respondent knew of the HAYS mark, given its longstanding reputation and the Respondent's impersonation of the Complainant. The Respondent allegedly used false registration details, including "Hays Plc" and the identity of a recruitment consultant, to lend credibility to the registration. The Respondent used the disputed domain name to send impersonation emails offering purported recruitment services. This conduct exploits confusion with the HAYS mark for commercial gain, takes unfair advantage of its goodwill, and disrupts its business and damages its reputation. The Complainant also points to the Respondent's use of a privacy service to conceal its identity.

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 and 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 a complainant to prove each of the following three elements in order to obtain an order that the disputed domain name be transferred or cancelled:

(i) the disputed domain name 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 disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied.

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy, WIPO Overview 3.1, section 1.2.1. The entirety of the mark is reproduced within the disputed domain name and remains in the Panel's view clearly 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 3.1, section 1.7.

Although the addition of other terms, here "recruiter", 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 3.1, 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 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 that 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 3.1, 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.

Furthermore, the Panel notes that the disputed domain name has been used to send phishing emails designed to impersonate the Complainant and one of its employees. This impersonation is achieved by using the name and photo of said employee with the apparent intent to deceive users into providing personal data under a pretense. This Panel finds it most likely that the Respondent selected the disputed domain name with the intention to take advantage of the Complainant's trademarks by registering a domain name containing that trademark in its entirety. Such use can neither be considered a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue in the sense of paragraph 4(c)(i) and (iii) of the Policy.

In addition, the Respondent did not submit any evidence of bona fide pre-Complaint preparations to use the disputed domain name. As outlined above, the Complainant's uncontested allegations demonstrate that it has not authorized the Respondent's use of its trademark for registering the disputed domain name, which is confusingly similar to that trademark.

Finally, the Panel notes that there is no evidence in the record that could lead to the conclusion that the Respondent might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

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 particular, 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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy: Panels have held that the use of a domain name for illegitimate or illegal activity, here claimed phishing and impersonation, constitutes bad faith. WIPO Overview 3.1, section 3.4. In the present case, the undisputed evidence shows that the disputed domain name was used to send phishing emails impersonating the Complainant's APAC CEO through the use of his name and photograph. These emails offered fictitious employment opportunities and solicited recipients' CVs and personal data. The Panel finds that this conduct is clearly illegitimate and demonstrates bad faith.

The following circumstances further support the Panel's finding that the disputed domain name was registered and is being used in bad faith:

(i) the disputed domain name incorporates the Complainant's distinctive HAYS trademark in its entirety, together with the term "recruiter", which reinforces the false impression of an affiliation with the Complainant's recruitment business;

(ii) the Complainant's trademark rights predate the registration of the disputed domain name by decades, and the Respondent's impersonation of the Complainant and its employees demonstrates actual knowledge of the Complainant, its trademark and its business;

(iii) the Respondent falsely identified "Hays Plc" as its organization and used the name of one of the Complainant's recruitment consultants in the registration details to create an appearance of legitimacy when registering the disputed domain name;

(iv) the Complainant did not license or otherwise authorize the Respondent's use of its trademark, and the record discloses no rights or legitimate interests of the Respondent in the disputed domain name; and

(v) the Respondent has not rebutted the Complainant's evidence or offered any explanation for its registration and use of the disputed domain name capable of supporting a bona fide or legitimate purpose.

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 <haysrecruiter.com> be transferred to the Complainant.

/Tobias Malte Müller/
Tobias Malte Müller
Sole Panelist
Date: October 28, 2026