

ADMINISTRATIVE PANEL DECISION

NextCrew Corporation v. Julian Hernandez
Case No. DAI2026-0071

1. The Parties

The Complainant is NextCrew Corporation, United States of America ("United States"), represented by Solace Law, United States.

The Respondent is Julian Hernandez, Argentina.

2. The Domain Name and Registrar

The disputed domain name <nextcrew.ai> (the "Domain Name") is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 15, 2026. On July 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 17, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name 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 the Complainant on July 17, 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 July 21, 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").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 12, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 13, 2026.

The Center appointed Ian Lowe as the sole panelist in this matter on August 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 is a technology company specializing in workforce management software and Software-as-a-Service (“SaaS”) solutions designed to assist staffing agencies and businesses in recruiting, managing, scheduling, and administering temporary and on-demand workforces. Since at least 2012, the Complainant has continuously and extensively used the NEXTCREW mark in commerce in connection with its cloud-based workforce management platform and related software services.

The Complainant is the proprietor of three registered trademarks for NEXTCREW, namely United States trademark number 4194376 registered on August 21, 2012; United States trademark number 5480879 registered on May 29, 2018; and European Union Trade Mark number 018962239 registered on April 23, 2024.

The Complainant operates a website at “www.nextcrew.com” promoting its products and services.

The Domain Name was registered on February 28, 2026. It resolves to a website available in the English and Spanish languages headed “Next Crew AI” purporting to promote the sale of AI tools for managing telephone calls, SMS messages, emails, WhatsApp messages, and social media (dubbed “AI Workforce”). The website gives no information as to the operator of the site and no contact details save an email address “[...]@nextcrew.ai”. The Respondent failed to respond to a cease-and-desist letter sent on behalf of the Complainant.

5. Parties’ Contentions

A. Complainant

The Complainant contends that the Domain Name is identical to its NEXTCREW trademark (the “Mark”), that the Respondent has no rights or legitimate interests in respect of the Domain Name, and that the Respondent registered and is using the Domain Name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

B. Respondent

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

6. Discussion and Findings

For this Complaint to succeed in relation to the Domain Name the Complainant must prove that:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

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 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.

Ignoring the country code Top-Level Domain ".ai", the Domain Name is identical to the Mark.

Accordingly, the Panel finds that the Domain Name is identical to a trademark in which the Complainant has rights, and 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. Accordingly, 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.

The Complainant has made out a strong prima facie case that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Respondent has not used the Domain Name in connection with a bona fide offering of goods or services, but for a website using the Mark and promoting software services commercially related to those offered by the Complainant. There is no suggestion that the Respondent has ever been known by the Domain Name. The Respondent has chosen not to respond to the Complainant or to take any steps to counter the prima facie case established by the Complainant. In the circumstances, the Panel finds that the Respondent does not have any rights or legitimate interests in respect of the Domain Name.

In addition, the nature of the Domain Name together with the Respondent's website create a strong risk of Internet user confusion.

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 Domain Name comprises the entirety of the Mark. In light of the longstanding commercial use of the Mark by the Complainant for software related services, the Panel is satisfied that the Respondent had the Complainant and its rights in the Mark in mind when it registered the Domain Name.

The Panel is further satisfied on the available evidence that the Respondent has registered and used the Domain Name to deceive Internet users into believing that the Domain Name is operated or authorized by the Complainant, attracting Internet users by creating a likelihood of confusion with the Mark. In the Panel's view, the use of the Domain Name for such activity, clearly with a view to commercial gain, amounts to paradigm bad faith registration and use for the purposes of the Policy.

Accordingly, the Panel finds that the Domain Name has been registered and is being used in bad faith.

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 Domain Name <nextcrew.ai> be transferred to the Complainant.

/Ian Lowe/

Ian Lowe

Sole Panelist

Date: September 8, 2026