

ADMINISTRATIVE PANEL DECISION

Sanofi v. Barnes Rob
Case No. D2025-1557

1. The Parties

The Complainant is Sanofi, France, represented by Selarl Marchais & Associés, France.

The Respondent is Barnes Rob, Kenya.

2. The Domain Name and Registrar

The disputed domain name <sanofiinc.com> (the “Disputed 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 April 16, 2025. On April 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 17, 2025, 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 (Withheld for Privacy Purposes) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 22, 2025, 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 amendment to the Complaint on April 28, 2025.

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 (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 May 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 26, 2025.

The Center appointed Enrique Bardales Mendoza as the sole panelist in this matter on June 4, 2025. 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 French multinational pharmaceutical company headquartered in Paris, ranked as the fourth world's largest multinational pharmaceutical company by prescription sales. The Complainant engages in research and development, manufacturing and marketing of pharmaceutical products for sale, principally in the prescription market, but the firm also develops over-the-counter medication.

The Complainant is a full member of the European Federation of Pharmaceutical Industries and Associations (EFPIA). It is settled in more than 100 countries on all five continents employing 100,000 people.

The Complainant benefits from a large portfolio of high-growth drugs. Also, the Complainant offers a wide range of patented prescription drugs to treat patients with serious diseases, and has leading positions in seven major therapeutic areas, namely cardiovascular, thrombosis, metabolic disorders, oncology, central nervous system, internal medicine, and vaccines.

The Complainant is the owner of multiple registrations for SANOFI trademark including the following ones:

- European Union Trademark No. 004182325 for SANOFI (registered on February 9, 2006) and covering goods and services in classes 01, 09, 10, 16, 38, 41, 42, and 44;
- French Trademark No. 96655339 for SANOFI (registered on December 11, 1996) and covering goods and services in classes 01, 03, 05, 09, 10, 35, 40 and 42;
- International Trademark No. 1092811 for SANOFI (registered on August 11, 2011) and covering goods and services in classes 01, 09, 10, 16, 38, 41, 42 and 44;
- International Trademark No. 1094854 for SANOFI (registered on August 11, 2011) and covering goods in classes 03 and 05.

Also, the Complainant is the registrant of the domain name <sanofi.com>, registered on October 13, 1995, among others which are registered and used by the Complainant in connection with its activity.

The Disputed Domain Name was registered on April 2, 2025 and resolves to an error page stating "DNS_PROBE_FINISHED_NXDOMAIN".

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a cancellation of the Disputed Domain Name.

Notably, the Complainant contends that the Disputed Domain Name is confusingly similar to the SANOFI trademark and the addition of the generic and descriptive acronym "inc" and the additional generic Top-Level Domain ("gTLD") ".com" to the Complainant's trademark does not prevent a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name. Also, the Complainant states that the Disputed Domain Name was registered and is used in bad faith. Having in mind that the Complainant's trademark is widely known, the registration of a confusingly similar domain name creates a presumption of bad faith.

B. Respondent

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

6. Discussion and Findings

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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "inc") 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 3.0](#), section 1.8.

In addition, it is well established that ".com" as a gTLD, can be disregarded in the assessment of the confusing similarity between the Disputed Domain Name and the Complainant's trademark. [WIPO Overview 3.0](#), section 1.11.1.

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 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 3.0](#), 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 composition of the Disputed Domain Name, which adds the term “inc” to the Complainant’s mark, carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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.

In the present case, since the Complainant’s trademark is widely known, the Respondent most likely had knowledge of the trademark before registering the Disputed Domain Name.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant’s trademark, the composition of the Disputed Domain Name, the failure of the Respondent to submit a Response or to provide any evidence of actual or contemplated good-faith use, and the Respondent’s use of false or incomplete contact details as indicated by the courier delivery records of the Written Notice, and finds that in the circumstances of this case the passive holding of the Disputed Domain Name does not prevent a finding of bad faith under the Policy.

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 <sanofiinc.com> be cancelled.

/Enrique Bardales Mendoza/
Enrique Bardales Mendoza
Sole Panelist
Date: June 18, 2025