

## **ADMINISTRATIVE PANEL DECISION**

Lonza Ltd. v. Ry Guy, try lonza  
Case No. D2025-1708

### **1. The Parties**

The Complainant is Lonza Ltd., Switzerland, represented by Greer, Burns & Crain, Ltd., United States of America (“United States”).

The Respondent is Ry Guy, try lonza, Canada.

### **2. The Domain Name and Registrar**

The disputed domain name <trylonza.com> is registered with Tucows Domains Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 29, 2025. On April 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 29, 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 (Contact Privacy Inc. Customer 0174639715) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 1, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant elected not to amend.

The Center verified that 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 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 6, 2025. The Respondent sent email communications to the Center on several occasions in May and June 2025. Pursuant to paragraph 6 of the Rules, on June 7, 2025, the Center informed the Parties that it would proceed with the panel appointment process.

The Center appointed Luca Barbero as the sole panelist in this matter on June 20, 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 part of the Lonza Group Ltd. and provides manufacturing services to the pharmaceutical, biotech and nutrition markets. The Complainant had revenues of over USD 2.3 billion in 2024 in the United States.

The Complainant is the owner of numerous trademark registrations for LONZA, including the following, as per trademark registration details and certificates submitted as Annexes 2 and 3 to the Complaint:

- Canada trademark registration No. TMDA18816 for LONZA (word mark), registered on August 29, 1913, in international classes 1, 3 and 6;
- Canada trademark registration No. TMA929787 for LONZA (figurative mark), filed on December 17, 2013, and registered on February 24, 2016, in international classes 1, 2 and 5;
- Canada trademark registration No. TMA936561 for LONZA (figurative mark), filed on December 17, 2013, and registered on May 02, 2016, in international classes 1, 2, 3, 4, 5 and 9;
- United States trademark registration No. 956300 for LONZA (word mark), filed on December 22, 1969, and registered on April 03, 1973, in international classes 01, 02, 04 and 05;
- United States trademark registration No. 4483125 for LONZA (word mark), filed on February 14, 2013, and registered on February 18, 2014, in international classes 09, 35 and 42;
- United States trademark registration No. 4639815 for LONZA (figurative mark), filed on December 9, 2013, and registered on November 18, 2014, in international classes 01, 02 and 05;
- United States trademark registration No. 4922144 for LONZA (word mark), filed on June 16, 2015, and registered on March 22, 2016, in international classes 40, 41 and 42;
- United States trademark registration No. 5222498 for LONZA (figurative mark), filed on November 03, 2016, and registered on June 13, 2017, in international classes 40 and 42;

The Complainant is also the owner of the domain name <lonza.com>, which was registered on January 8, 1997, and is used by the Complainant to promote its products and services under the trademark LONZA.

The disputed domain name <trylonza.com> was registered on April 12, 2025, and is currently not pointed to an active website. Prior to the present proceeding, the disputed domain name resolved to an undeveloped website apparently designed to offer some products for sale and displaying a logo “try lonza” and a contact form.

#### **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 that the disputed domain name is identical and confusingly similar to the trademark LONZA in which the Complainant has rights as it reproduces the trademark in its entirety with the mere addition of the term “try” and the generic Top-Level-Domain (“gTLD”) “.com”, which are generally insufficient to overcome confusing similarity between the disputed domain name and the mark.

The Complainant submits that the Respondent does not have any rights or legitimate interests in the disputed domain name because: i) the Respondent does not own trademark registrations or applications for LONZA; ii) the Complainant has not licensed, otherwise permitted or authorized the Respondent to use the LONZA trademark or brand, or to apply for any domain name that is confusingly similar to such mark; iii) the Respondent is not commonly known by the disputed domain name and iv) the disputed domain name has not been used in good faith or for a legitimate noncommercial or fair use as it has been pointed to an undeveloped website apparently aimed at offering something for sale, but lacking even the most basic information on what goods or services it intends to offer.

With reference to the circumstances evidencing bad faith, the Complainant indicates that considering: i) the Complainant’s goodwill and world renown in its field; ii) the Complainant’s prior rights in the LONZA mark; iii) the Respondent’s lack of rights and legitimate interests in the disputed domain name; iii) the Respondent registered a domain name that is identical or confusingly similar to the Complainant’s LONZA mark and iv) the Respondent’s concealing its identity at the time of registering the disputed domain name, the Respondent must have not only been well aware of the Complainant and its rights at the time of registering the disputed domain name, but also appears to have registered the disputed domain name in bad faith with the primary intent of creating a likelihood of confusion with the Complainant’s mark.

## **B. Respondent**

The Respondent did not formally reply to the Complainant’s contentions, but sent four informal email communications to the Center, the first of which was dated May 9, 2025, in which it acknowledged receipt of the dispute and stated that it originally purchased the disputed domain name through Shopify when it was publicly available and that it had no indication of any trademark conflict at the time.

In the same communication, the Respondent further submitted that, since then, Shopify closed its online store and removed its access to both the website and the disputed domain name, so it no longer had control over it.

In its subsequent informal communications dated June 7, 2025, the Respondent reiterated the above and confirmed that it would have no objection to the disputed domain name being transferred to the Complainant.

## **6. Discussion and Findings**

According to paragraph 15(a) of the Rules: “A Panel shall 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 directs that the Complainant must prove each of the following:

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

## A. Consent to Transfer

The Panel notes that, even without a formal settlement between the parties, a respondent's consent to transfer a disputed domain name can provide sufficient basis for an order for transfer without the need for substantial consideration of the UDRP grounds and the further merits of the case.

As stated in section 4.10 of the [WIPO Overview 3.0](#), "Where parties to a UDRP proceeding have not been able to settle their dispute prior to the issuance of a panel decision using the "standard settlement process" described above, but where the respondent has nevertheless given its consent on the record to the transfer (or cancellation) remedy sought by the complainant, many panels will order the requested remedy solely on the basis of such consent. In such cases, the panel gives effect to an understood party agreement as to the disposition of their case (whether by virtue of deemed admission, or on a no-fault basis). In some cases, despite such respondent consent, a panel may in its discretion still find it appropriate to proceed to a substantive decision on the merits".

In its email communication dated June 7, 2025, the Respondent indicated that it had no objection to transfer the disputed domain name to the Complainant.

Considering the Respondent has not rebutted the Complainant's trademark rights and contentions, the Panel finds that the Respondent's email communication to the Center shows its willingness and consent to have the disputed domain name transferred to the Complainant.

The Panel finds that the fact that no settlement has been concluded between the Parties does not affect the effectiveness of the Respondent's unilateral consent to the transfer of the disputed domain name. See along these lines *Instagram, LLC v. Giannis Sarelas*, WIPO Case No. [D2024-2998](#).

The Panel also finds that, even if the Respondent had not provided its consent to transfer the disputed domain name, the Panel would have in any case found that the substantive requirements prescribed by paragraph 4(a) of the Policy have been met in this case since, based on the documents and statements submitted by the parties: i) the Complainant owns trademark rights on LONZA which predate the date of registration of the disputed domain name by several years; ii) the disputed domain name is confusingly similar to the Complainant's trademark LONZA; iii) the Respondent does not have rights or legitimate interests in the disputed domain name since he does not appear to own any trademark rights for "Try Lonza" nor to be commonly known by the disputed domain name and has not used the disputed domain name in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use; iv) the Respondent most likely was aware of the Complainant's trademark at the time of registration of the disputed domain name and, indeed, it has not denied to have knowledge of the Complainant and its trademark LONZA; and v) the prior use of the disputed domain name as demonstrated by the screenshots submitted by the Complainant – which have not been contested by the Respondent – shows that the Respondent, on balance of probabilities, intentionally attempted to attract users to its website for commercial gain, by creating a likelihood of confusion with the LONZA mark as to the source, sponsorship, affiliation or endorsement of its website.

## 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 <trylonza.com> be transferred to the Complainant.

/Luca Barbero/

**Luca Barbero**

Sole Panelist

Date: July 4, 2025