

ADMINISTRATIVE PANEL DECISION

A. Nattermann & Cie. GmbH v. Mantas Lika
Case No. D2025-2061

1. The Parties

The Complainant is A. Nattermann & Cie. GmbH, Germany, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Mantas Lika, Lithuania.

2. The Domain Name and Registrar

The disputed domain name <essentialeforte.com> is registered with Name SRS AB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 23, 2025. On May 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 27, 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 (Protected/Protected/Shield Whois) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 27, 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 amended Complaint on the same date.

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 May 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 20, 2025.

The Center appointed Kathryn Lee as the sole panelist in this matter on June 24, 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 Germany pharmaceutical company established in 1906 and a part of the Sanofi Group. The Complainant produces over-the-counter and consumer health care drugs, including drugs for the treatment of the liver sold under the ESSENTIALE FORTE, ESSENTIALE, and the ESSENTIALE-family of marks which are consumed by over 20 million individuals from more than 30 countries. The Complainant has a number of trademark registrations for the ESSENTIALE FORTE mark, including the following:

- Republic of Korea Trademark Registration Number 4001315020000 registered on September 30, 1986;
- Thailand Trademark Registration Number 930757 registered on December 29, 2015.

The Respondent appears to be an individual with an address in Lithuania.

The disputed domain name was registered on January 19, 2023, and was at one point linked to a website displaying the Complainant's ESSENTIALE FORTE mark and offering products bearing the ESSENTIALE FORTE mark for sale.

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 the disputed domain name is identical or at least confusingly similar to the ESSENTIAL FORTE mark in which the Complainant has rights since the disputed domain name reproduces the ESSENTIAL FORTE trademark exactly.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent's use of, or demonstrable preparations to use, the disputed domain name in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain name, or a legitimate noncommercial or fair use of the disputed domain name by the Respondent. The Complainant further contends that the Respondent linked the disputed domain name to a website that duplicates the Complainant's official Essentiale website, displaying the Complainant's logo, design, color scheme, and pictures on the Complainant's website, and that by doing this, the Respondent passed off the disputed domain name as being affiliated with the Complainant, which does not afford rights or legitimate interests in the disputed domain name to the Respondent.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant contends that based on the Respondent's use of the disputed domain name to link to a website copying the Complainant's official website, it is clear that the Respondent knew of the Complainant, its products, and marks when registering the disputed domain name. The Complainant also contends that the Respondent's use of the disputed domain name constitutes a disruption of the Complainant's business and qualifies as bad faith registration and use.

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 identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

Moreover, "UDRP panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation. Even where a domain name consists of a trademark plus an additional term (at the second- or top-level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner." [WIPO Overview 3.0](#), section 2.5.1. Here, the disputed domain name consists solely of the Complainant's ESSENTIALE FORTE mark, which is likely to mislead Internet users into believing that the website at the disputed domain name is related to and/or operated by the Complainant itself, contrary to the fact.

In addition, Panels have held that the use of a domain name for illegitimate activity – here, claimed impersonation/passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), 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.

First, the disputed domain name consists solely of the Complainant's distinctive ESSSENTIALE FORTE mark. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

Further, the Respondent at one point linked the disputed domain name to a website displaying a copy-cat website with similar look and feel of the Complainant's official Essential website with the Complainant's Essential logo and offering the Complainant's products for sale. The authenticity of the goods offered for sale cannot be confirmed, but at the very least, the Respondent impersonated the Complainant in the manner in which the disputed domain name was used. Panels have held that the use of a domain name for illegitimate activity – here, claimed impersonation/passing off – constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <essentialforte.com> be transferred to the Complainant.

/Kathryn Lee/
Kathryn Lee
Sole Panelist
Date: July 4, 2025