

ADMINISTRATIVE PANEL DECISION

Sandoz AG v. Carolina Rodrigues, Fundacion Comercio Electronico
Case No. D2025-0059

1. The Parties

The Complainant is Sandoz AG, Switzerland, represented by Dreyfus & associés, France.

The Respondent is Carolina Rodrigues, Fundacion Comercio Electronico, Panama.

2. The Domain Name and Registrar

The disputed domain name <www.sandozbenefits.com> (the “Domain Name”) is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 8, 2025. On January 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On the same day, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 10, 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 January 10, 2025.

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 January 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 9, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on February 12, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant provides more than 800 million patient treatments per year, generating more than USD 18 billion in the United States of America and Europe. The Complainant's products are available in about 155 countries, and they reached nearly 1 billion people globally in 2017. The Complainant has 126,000 people employed around the world. The Complainant is present in Panama where the Respondent is located.

The Complainant owns numerous SANDOZ trademark registrations around the world, such as European Union Trade Mark No. 003070422 (registered February 4, 2005).

The Complainant owns also numerous domain name registrations, such as <sandoz.com> registered in 1993.

The Domain Name was registered on June 18, 2024. At the time of filing the Complaint, the Domain Name resolved to a parking page displaying commercial links directly targeting the Complainant's field of activity. At the time of drafting the Decision, the Domain Name resolved to an error page.

5. Parties' Contentions

A. Complainant

The Complainant provides evidence of trademark registrations and contends that the Domain Name is confusingly similar to the Complainant's trademark SANDOZ as the Domain Name incorporates the Complainant's entire trademark. The addition of the generic term "benefits" and the abbreviation "www" does not prevent confusing similarity between the Domain Name and the trademark.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant asserts that the Respondent is not affiliated with the Complainant. The Respondent has not been granted any license. The Respondent cannot claim prior rights or legitimate interest in the Domain Name. The registration of the Complainant's SANDOZ trademarks preceded the registration of the Respondent's Domain Name for years, and the Respondent is not commonly known by the Domain Name or the name "sandoz". The Respondent's use of the Domain Name does not constitute a legitimate interest in the Domain Name. The Respondent appears to be a cyber-squatter as the Respondent is associated with several domain names that replicate famous trademarks. This is additional proof that the Respondent lacks rights and legitimate interests in the Domain Name.

The Complainant believes it is unlikely that the Respondent was unaware of the Complainant when the Respondent registered the Domain Name. Moreover, the Respondent is a well-known cyber-squatter that has been the subject of several UDRP proceedings. The Respondent's use of the Domain Name to redirect Internet users to a webpage displaying commercial links related to products competing with those of the Complainant constitutes bad faith use pursuant to the Policy.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

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

The Complainant has established that it has rights in the trademark SANDOZ. In this case, the Domain Name incorporates the Complainant’s trademark with the additions of “benefits” and “www”. The additions do not prevent a finding of confusing similarity between the Domain Name and the trademark. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain; see [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. 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.

Based on the evidence, the Respondent is not affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent’s use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. On the contrary, the use of the Domain Name is rather evidence of bad faith, as discussed below. The Panel finds also that the composition of the Domain Name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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.

The Respondent most likely knew of the Complainant when it registered the Domain Name. It follows from the fame of the Complainant, the composition of the Domain Name, and use of the Domain Name. The Respondent has not offered any explanation to why it registered a domain name confusingly similar to the Complainant’s trademark, nor provided any evidence of actual or contemplated good faith use of the Domain Name. On the contrary, the Respondent’s use is evidence of bad faith use. Moreover, as additional evidence of bad faith, the Respondent is documented to be a well-known cyber-squatter subject to a large number of UDRP proceedings.

Based on the available record, 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 the Domain Name <www.sandozbenefits.com> transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: February 24, 2025