

ADMINISTRATIVE PANEL DECISION

Sanofi v. precise familycare
Case No. D2025-0876

1. The Parties

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

The Respondent is precise familycare, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <sanofli.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 3, 2025. On March 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 5, 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 (-) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 5, 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 March 12, 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 March 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 3, 2025.

The Center appointed Johan Sjöbeck as the sole panelist in this matter on April 7, 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 has submitted evidence that it is the owner of a large number of trademark registrations, including the following:

SANOFI, France trademark with registration number 1482708, registered on August 11, 1988.

SANOFI, International trademark with registration number 591490, registered on September 25, 1992.

SANOFI, United States trademark with registration number 4178199, registered on July 24, 2012.

The Respondent registered the disputed domain name <sanofli.com> on January 3, 2025. The disputed domain name resolves to a Registrar-hosted, inactive webpage.

5. Parties' Contentions

A. Complainant

The Complainant, SANOFI, a French multinational pharmaceutical company headquartered in Paris, is the 4th world's largest multinational pharmaceutical company by prescription sales with presence in more than 100 countries on all five continents employing about 100,000 people. The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name <sanofli.com>.

The disputed domain name is confusingly similar to the trademarks to which the Complainant has rights. The term "SANOFI", which has been used for over 40 years, does not have any particular meaning and is highly distinctive. The Complainant has registered its SANOFI trademarks in numerous jurisdictions before the Respondent registered the disputed domain name, an established fact the Respondent could not reasonably have been unaware of. A large number of UDRP panels have previously stated that the SANOFI trademark is considered well-known in many jurisdictions. The disputed domain name is an intentional misspelling of the trademark where the difference is limited to the addition of the letter "l" between the "f" and the "i". Indeed, the Respondent's registration of the disputed domain name is a matter of typosquatting.

The Respondent does not have any legitimate interest in the disputed domain name. The fact that the Respondent's details provided in the Whois-database are non-existing is an indication, not only of the absence of legitimate interest, but also of registering and using in bad faith. The Respondent has no prior rights to the name and the Complainant has not licensed or authorized the Respondent to use its trademarks in a domain name. The Respondent is not making a legitimate non-commercial or fair use of the disputed domain name in connection with a bona fide offering of goods or services.

Moreover, it should be considered that, given the famous and distinctive nature of the Complainant's trademark, the Respondent is likely to have had, at least, constructive notice, if not actual notice, as to the existence of the Complainant's trademarks at the time it registered the disputed domain name. This suggests that the Respondent acted with opportunistic bad faith in registering the disputed domain name in order to make illegitimate use of it. The disputed domain name has been registered for the purpose of creating a likelihood of confusion, or at least an impression of association, with the trademarks. The Respondent must have been aware of the likelihood of causing deception and confusion by registering the disputed domain name, as it could mislead Internet users seeking information about the Complainant's products into visiting the Respondent's website. This knowledge characterizes the Respondent's bad faith in registering the domain name. For all these reasons, there is no doubt that the disputed domain name has been registered in bad faith by the Respondent.

While the disputed domain name resolves to an inactive website, it has been established in many UDRP cases that passive holding under the appropriate circumstances falls within the concept of the domain name

being used in bad faith. The lack of apparent genuine use of the disputed domain name is likely to cause irreparable prejudice to the Complainant's goodwill because Internet users could be led to believe that the Complainant is not on the Internet or worse, that the Complainant is out of business. Consequently, the disputed domain name has been registered and used intentionally in bad faith without any rights or legitimate interest by the Respondent.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove each of the following:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in the disputed domain name; and
- (iii) the disputed 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 test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant is, according to the submitted evidence, the owner of the registered trademark SANOFI. The disputed domain name <sanofli.com> incorporates the SANOFI trademark in its entirety with the addition of the letter "l" between the letters "f" and "i".

The SANOFI trademark is recognizable in the disputed domain name and the addition of the letter "l" does not prevent a finding of confusing similarity for the purposes of the Policy. It is standard practice to disregard the generic Top-Level Domain under the confusingly similar test.

Having the above in mind, the Panel concludes that the disputed domain name is confusingly similar to the Complainant's trademark SANOFI and that the Complainant has proven the requirement under paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

The Complainant must show that the Respondent has no rights or legitimate interests with respect to the disputed domain name. The Respondent may establish rights or legitimate interests in the disputed domain name by demonstrating in accordance with paragraph 4(c) of the Policy any of the following:

- (i) that the Respondent uses or has made preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) that the Respondent is commonly known by the disputed domain name, even if the Respondent has not acquired any trademark rights; or
- (iii) that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name

without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

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. See [WIPO Overview 3.0](#), section 2.1.

From the submitted material in the Complaint and its annexes, it is clear that the Complainant’s trademark registrations for SANOFI predate the Respondent’s registration of the disputed domain name <sanofli.com>. Furthermore, it is clear that the Complainant has not licensed, approved, or in any way consented to the Respondent’s registration and use of the trademark in the disputed domain name.

The disputed domain name does not resolve to an active website. There is no evidence in this case indicating that the Respondent has used or made any preparations to use the disputed domain name in connection with a bona fide offering of goods or services prior to the dispute. Additionally, there is no evidence indicating that the Respondent intends to make a legitimate, noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark. Furthermore, there is no evidence indicating that it is the owner of any trademark or that it is commonly known by the disputed domain name. Although given the opportunity, the Respondent has not rebutted the Complainant’s prima facie case.

In light of the above, the Respondent has failed to invoke any circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy or otherwise, any rights or legitimate interests in respect of the disputed domain name. Hence, there is no evidence in the case that refutes the Complainant’s submissions, and the Panel finds that the Complainant has also proven the requirement under paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use include without limitation:

- (i) circumstances indicating the disputed domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the owner of a trademark or to a competitor of the trademark owner, for valuable consideration in excess of the documented out-of-pocket costs directly related to the disputed domain name; or
- (ii) circumstances indicating that the disputed domain name was registered in order to prevent the owner of a trademark from reflecting the mark in a corresponding disputed domain name, provided there is a pattern of such conduct; or
- (iii) circumstances indicating that the disputed domain name was registered primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the disputed domain name has intentionally been used in an attempted to attract, for commercial gain, Internet users to the Respondent’s website or other online location, by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on that website or location.

It has been argued by the Complainant that the Respondent registered the disputed domain name for the purpose of creating a likelihood of confusion, or at least an impression of association, between the

Complainant's trademark and the disputed domain name. As previously noted, the Complainant's trademark registrations for SANOFI predate the registration of the disputed domain name by more than 30 years. According to several UDRP decisions referenced by the Complainant, the Complainant's trademark is recognized as distinctive and well-known. Given this, and considering that the disputed domain name incorporates the Complainant's trademark in its entirety, with the sole variation being the addition of the letter, 'l', the Panel is of the view that there is no plausible explanation why the Respondent selected the disputed domain name other than for the purpose of attempting to attract, for commercial gain, Internet users to the Respondent's website or other online location, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on that website or location.

The evidence submitted by the Complainant demonstrates that the disputed domain name resolves to an inactive webpage and that the Respondent uses a privacy shield for anonymity. UDRP panels have found that non-active use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding. See [WIPO Overview 3.0](#), section 3.3 and *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#). In the present case, the Panel is convinced that the overall circumstances suggest that the Respondent's passive holding of the disputed domain name amounts to use in bad faith. Such circumstances include not only the distinctiveness and reputation of the Complainant's trademark, the composition of the disputed domain name, the Respondent's use of a privacy shield, but also that fact that the Respondent did not respond to the Complainant's contentions.

Hence, in the absence of any evidence to the contrary, the Panel is persuaded on the balance of probabilities that the Respondent registered and used the disputed domain name with the Complainant's trademark and business in mind. There is no evidence in this case that refutes the Complainant's submissions and the Panel concludes that the Complainant has proved the requirements under paragraph 4(a)(iii) of the Policy that the disputed domain name has been registered and 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 disputed domain name <sanofli.com> be transferred to the Complainant.

/Johan Sjöbeck/

Johan Sjöbeck

Sole Panelist

Date: April 21, 2025