

## **ADMINISTRATIVE PANEL DECISION**

Ardena Gent v. Dorian Smith  
Case No. D2025-1413

### **1. The Parties**

The Complainant is Ardena Gent, Belgium, internally represented.

The Respondent is Dorian Smith, United States of America (“United States”).

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

The disputed domain names <ardena.org> and <ardena-usa.org> are registered with Hostinger Operations, UAB (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 7, 2025. On April 7, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 9, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (“PrivacyProtect.org Business Development”) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 9, 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 11, 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 April 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 7, 2025.

The Center appointed George R. F. Souter as the sole panelist in this matter on May 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 by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant, a Belgian company, develops and provides drugs to biopharmaceutical companies and is the proprietor of International trademark registration No. 1358626 in respect of the trademark ARDENA, in classes 42 and 45, registered on March 8, 2017. Details of this registration were supplied to the Panel.

The disputed domain name <ardena.org> was registered on March 11, 2025, and the disputed domain name <ardena-usa.org> was registered on March 21, 2025. Currently the disputed domain names do not resolve to any active websites, but the Complainant claims they were used in connection with a fraudulent email scheme.

#### **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 names.

Notably, the Complainant contends that both disputed domain names have been used in connection with emails disclosing job scam operations, detailed in an Excel spreadsheet, a copy of which has been supplied to the Panel.

The Complainant also alleges that both disputed domain names have been used in attempts to impersonate different HR representatives of the Complainant.

##### **Respondent**

The Respondent did not reply to the Complainant's contentions, and was served with a Respondent Default Notice on May 7, 2025.

#### **6. Discussion and Findings**

##### **A. Identical or Confusingly Similar**

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.

Both of the disputed domain names contain the Complainant's ARDENA trademark in its entirety. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy, as per [WIPO Overview 3.0](#), section 1.7. The addition of a hyphen and the term "usa" in one of the disputed domain names does not detract from this finding.

The Panel finds the first element of the Policy has been established.

## **B. Rights or Legitimate Interests**

Having reviewed the available record, from which it is clear that the Complainant has not given the Respondent permission to use its ARDENA trademark in connection with the registration of a domain name, or otherwise, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. 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 names such as those enumerated in the Policy or otherwise.

The Panel also notes the composition of the disputed domain names, which carry a risk of implied affiliation with the Complainant and thus, prevents a finding of rights or legitimate interests on behalf of the Respondent. [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**

Considering the composition of the disputed domain names, the notoriety of the Complainant's trademark, as well as the Respondent's failure to come forward with any arguments or explanation for the registration of the disputed domain names, the Panel finds it is implausible that the disputed domain names were devised without targeting the Complainant's ARDENA trademark, and the subsequent use of the disputed domain names confirms this. Accordingly, the Panel finds that the disputed domain names were registered in bad faith.

The use of the disputed domain names in the present case, as detailed above for illegal activity is a clear example of use of the disputed domain names in bad faith, and the Panel so finds.

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 names <ardena.org> and <ardena-usa.org> be transferred to the Complainant.

*/George R. F. Souter/*

**George R. F. Souter**

Sole Panelist

Date: May 26, 2025.