

ADMINISTRATIVE PANEL DECISION

Artivion, Inc. v. Domain Administrator
Case No. D2025-1856

1. The Parties

The Complainant is Artivion, Inc., United States of America, internally represented.

The Respondent is Domain Administrator, United States of America.

2. The Domain Name and Registrar

The disputed domain name <artivioncareers.com> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 9, 2025. On May 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (Domain Administrator, NameSilo, LLC, PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 13, 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 day.

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 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 12, 2025.

The Center appointed Gary Saposnik as the sole panelist in this matter on June 26, 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 Delaware corporation with its principal place of business in Georgia, United States. The Complainant is a global company in the manufacturing, processing, and distribution of medical devices and implantable human tissues used in cardiac and vascular surgical procedures for patients with aortic disease. The Complainant was originally founded in 1984 under the name CryoLife, Inc., and changed its name to Artivion, Inc. in January 2022. Through its global network of more than thirty wholly-owned subsidiaries, the Complainant employs more than 1,600 employees and distributes products and services in more than 100 countries.

The Complainant is the owner of numerous trademark/service mark registrations for ARTIVION around the world, including the following:

- ARTIVION, United States Reg No. 7328132, registered March 12, 2024, in classes 41, 42, and 44, including for scientific and technological services, namely, research and design in the fields of medical devices, processing and cryogenic preservation of biological tissue, and the resulting processed biological tissues;
- ARTIVION, United States Reg. No. 7489375, registered August 27, 2024, in classes 5 and 10, including for surgical implants and grafts comprising cardiac and vascular biological tissue, and medical devices for treatment of cardiac, vascular, and aortic diseases;
- ARTIVION, Switzerland Reg. No. 787660, registered October 7, 2022, in classes 5, 10, 40, 41, 42, and 44.

The Complainant has offered goods and services under the ARTIVION mark since at least January 2022, including its use of the domain name <artivion.com>, which it registered on January 30, 2021, and resolves to the Complainant's official website. The Complainant's formal careers webpage is located at "www.artivion.com/careers". In addition, the Complainant conducts recruiting activities on various career boards and social media platforms worldwide, including LinkedIn.

The Respondent registered the disputed domain name on April 10, 2025. The disputed domain name directs to a pay-per-click website.

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 confusingly similar to a trademark or service mark in which the Complainant has rights. The Complainant is the owner of numerous trademark/service mark registrations for the mark ARTIVION. The disputed domain name is confusingly similar to both the Complainant's ARTIVION mark as the Complainant's domain name. Adding the generic term "careers" does not distinguish the disputed domain name from the trademark as the dominant portion of the disputed domain name remains identical to the Complainant's ARTIVION mark. Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless or otherwise) would not prevent a finding of confusing similarity under the first element. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.8.

The Complainant conducts recruiting activities on various career boards and social media platforms worldwide, including LinkedIn. Inclusion of the generic term “careers” after the ARTIVION mark increases the likelihood of confusion because it implies the disputed domain name is associated with the Complainant or its recruiting department. There is actual confusion resulting from the disputed domain name as is evidenced by an email from a job seeker questioning the Complainant about the legitimacy of a job offer they received from an email address associated with the disputed domain name.

The Complainant avers that the Respondent has no rights or legitimate interests in respect of the disputed domain name, as the Complainant has not permitted the Respondent to use the ARTIVION mark. Additionally, the Respondent is exploiting the disputed domain name in a phishing scam, deceiving job applicants seeking careers with the Complainant.

The Respondent has no plausible legitimate interest in the disputed domain name as it is being used for illegal and/or fraudulent activities, namely used in the employment of fraud schemes designed to obtain personal information from unsuspecting job applicants. The Respondent is using the disputed domain name to send unsolicited communications to at least four individuals purporting to offer potential employment with the Complainant. The Respondent copied actual job titles from the Complainant’s actual job postings or applied only minor modifications and emailed potential candidates offering them employment or seeking their personal information.

The Complainant does not perform recruiting through the disputed domain name, but rather through its <artivion.com> domain name and its careers website. To the extent that the Complainant utilizes third parties in its recruitment and job posting activities, the Respondent is not authorized or otherwise permitted to perform any such recruitment on behalf of the Complainant or to use the Complainant’s ARTIVION mark in any regard.

The Respondent is not commonly known by the disputed domain name or any similar name, nor is there evidence that the Respondent is preparing to use the disputed domain name. The Respondent’s use of the disputed domain name to impersonate the Complainant and perpetuate illegal activities demonstrates that they have no legitimate interests in or rights to the disputed domain name. See [WIPO Overview 3.0](#), section 2.13.1. (“Panels have categorically held that the use of a domain name for illegal activity (e.g., ...phishing...impersonation/passing off, or other types of fraud) can never confer rights or legitimate interest on a respondent.”)

Furthermore, the Respondent’s use of the disputed domain name cannot constitute fair use as it is used to impersonate or suggest sponsorship or endorsement by the Complainant. See [WIPO Overview 3.0](#), section 2.5.1.

Lastly, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Respondent registered the disputed domain name on April 10, 2025, years after the Complainant’s trademark rights were established. Four days after the disputed domain name was registered, the Respondent sent a job offer to a third party for a position with the Complainant. The job was similar to a legitimate position with the Complainant. The email from the Respondent cited that the position was at “ARTIVION” and they provided a link to the Complainant’s domain name.

The Respondent’s phishing scheme to email job-seeking individuals fraudulent job offer purporting to come from the Complainant evidences a clear intent to deceive individuals and misappropriate their personal information, disrupt the Complainant’s business, and trade off the Complainant’s goodwill by creating an unauthorized association between the Respondent and the Complainant’s ARTIVION mark. Prior panels have found that email-based phishing schemes that use a complainant’s trademark in a disputed domain name are evidence of bad faith. See, *BHP Billiton Innovation Pty Ltd v. Domains By Proxy LLC / Douglass Johnson*, WIPO Case No. [D2016-0364](#); *Assurant, Inc. v. Don Joe*, WIPO Case No. [D2025-0946](#). Accordingly, the disputed domain name is being used and was registered in bad faith to perpetuate fraudulent activities.

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

Although the addition of other terms here, "careers", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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.

The Complainant has submitted un rebutted evidence of emails showing that the Respondent is using the disputed domain name in a scheme to impersonate the Complainant, in attempting to collect personal identify information, and to defraud victims with a job offer scam. Panels have held that the use of a domain name for illegitimate and/or illegal activity here, claimed as applicable to this case: phishing, impersonation/passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1. See also *Assurant, Inc. v. Don Joe*, WIPO Case No. [D2025-0946](#).

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.

In the present case, the Panel notes that the Respondent registered the disputed domain name a number of years after the Complainant acquired trademark rights in its ARTIVION marks. The disputed domain name resolves to a pay-per-click landing page. However, as previously noted, the Respondent is using the disputed domain name to impersonate the Complainant in an email scheme to solicit personal information from unsuspecting victims with a job offer scam. The Respondent posed as Artivion employees or its human resources department in email exchanges with job candidates providing job offers and requesting personal information in questionnaires in an attempt to defraud the intended victims.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have held that the use of a domain name for illegitimate and/or illegal activity here, claimed as applicable to this case: phishing, impersonation/passing off, or other types of fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. See, *BHP Billiton Innovation Pty Ltd v. Domains By Proxy LLC/Douglass Johnson*, WIPO Case No. [D2016-0364](#); *Assurant, Inc. v. Don Joe*, WIPO Case No. [D2025-0946](#). The Complainant has provided un rebutted evidence that the Respondent is using the disputed domain name in a scheme to impersonate the Complainant and its employees and human resources department, in attempting to collect personal identifying information, and to defraud victims with a job offer scam. The disputed domain name has created actual confusion among job candidates for positions with the Complainant, as numerous candidates have contacted the Complainant questioning the legitimacy of the job offers provided through the disputed domain name.

The Respondent has not responded to the Complaint and has not rebutted the Complainant's evidence of the Respondent's absence of rights or legitimate interests. 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 <artivioncareers.com> be transferred to the Complainant.

/Gary Saposnik/

Gary Saposnik

Sole Panelist

Date: July 10, 2025