

ADMINISTRATIVE PANEL DECISION

Chiesi Farmaceutici S.p.A. v. mesut erdogan and Domain Admin
Case No. D2025-1946

1. The Parties

The Complainant is Chiesi Farmaceutici S.p.A., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondents are mesut erdogan, Türkiye and Domain Admin, United States of America (“United States”).

2. The Domain Names and Registrar

The disputed domain names <tanbreev.com>, <tanspi.com> and <theimpulsebychiesi.com> are registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 15, 2025. On May 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On May 19, 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 (REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint.

The Center sent an email communication to the Complainant on May 20, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amendment to the Complaint on May 21, 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 Respondents of the Complaint, and the proceedings commenced on May 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 15, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondent's default on June 16, 2025.

The Center appointed Tobias Malte Müller as the sole panelist in this matter on June 25, 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's undisputed statements confirm that it is an Italian multinational biopharmaceutical company with origins dating back to 1935. The company employs over 7,000 people and operates across five continents, with 23 direct subsidiaries, including in Türkiye and the United States, where the Respondents appear to be located.

Furthermore, the evidence before the Panel proves that the Complainant is the registered owner of a trademark portfolio which includes the following trademarks:

- TANSPI – Verbal European Union Trademark Registration No. 019123740, filed on December 23, 2024 and registered on April 19, 2025, for goods in class 5;
- TANBREEV – Verbal European Union Trademark Registration No. 019123672, filed on December 23, 2024 and registered on April 19, 2025, for goods in class 5;
- THE IMPULSE BY CHIESI – Figurative European Union Trademark Registration No. 019059052, filed on July 24, 2024 and registered on November 8, 2024, for goods and services in classes 16, 41, 42 and 44.

The disputed domain names have been registered as follows:

- <tanspi.com> on December 23, 2024 by mesut erdogan
- <tanbreev.com> on December 23, 2024 by mesut erdogan
- <theimpulsebychiesi.com> on July 24, 2024 by Domain Admin

It results from the Complainant's documented allegations, which remained uncontested, that initially, each of the disputed domain names led to provider pages offering them for sale at the same price of USD 2,850 each. The asking price for <tanspi.com> and <tanbreev.com> was later raised to USD 2,988 each, while the price for <theimpulsebychiesi.com> was offered for EUR 2,568.72.

On January 28, 2025, the Complainant's representative sent a Cease-and-Desist letter to the Registrant – via the Registrar's online contact forms. In absence of any reply, reminders were sent on February 4, 2025, February 11, 2025, and March 14, 2025. Nevertheless, the Respondents have failed to provide any response.

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:

(1) the complaints for the three disputed domain names should be consolidated. The evidence suggests that the registrants of the disputed domain names are under the control of the same single individual or entity or, at least, reflective of a group of individuals acting in concert, that indicated different and possibly fictitious contact details in the Whois records to attempt to frustrate the Complainant's efforts to enforce its trademark rights to the greatest extent possible;

(2) the disputed domain names <tanspi.com> and <tanbreev.com> fully incorporate the trademarks TANSPI and TANBREEV making them identical to these marks. The disputed domain name <theimpulsebychiesi.com> reproduces the verbal component of the Complainant's figurative trademark THEIMPULSE BY CHIESI identically and is thus at least confusingly similar to said trademark;

(3) the Respondents are not a licensee, authorized agent of the Complainant or in any other way authorized to use the Complainant's trademarks. Moreover, the Complainant is not in possession of, nor aware of the existence of any evidence demonstrating that the Respondents might be commonly known by a name corresponding to the disputed domain names as an individual, business, or other organization. Finally, the disputed domain names are offered for sale and such use does not amount to a bona fide offering of goods or services or to a legitimate non-commercial or fair use;

(4) the disputed domain names have been originally offered for sale for USD 2,850, while <tanspi.com> and <tanbreev.com> are now offered for sale for USD 2,988 and <theimpulsebychiesi.com> for EUR 2,568.72, amounts well in excess of the out-of-pocket costs directly related to the disputed domain names. In addition to the above, the Respondent have failed to reply to the Cease-and-Desist letter and subsequent reminders sent by the Complainant's representative.

Finally, the Respondent "mesut erdogan" has been involved in multiple prior UDRP cases (*Verisure Sàrl v. mesut Erdogan*, WIPO Case No. [D2024-4599](#); *Verisure Sàrl v. mesut erdogan*, WIPO Case No. [D2024-4586](#) and *Rolf Benz AG & Co. KG v. mesut erdogan*, WIPO Case No. [D2024-4380](#)) all of which resulted in the transfer of the disputed domain names. In each case, the respective domain names were registered on the same day the complainants applied for their corresponding European Union trademarks and were later offered for sale at USD 2,850. The Complainant notes that the Respondent "Domain Admin" used the email address "...@catchdaddy.com," which was also used by another respondent in previous cases—all of which similarly resulted in the transfer of the disputed domain names.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable". Paragraph 4(a) of the Policy requires a complainant to prove each of the following three elements in order to obtain an order that disputed domain name be transferred or cancelled:

(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 respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

The Panel will therefore proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied. Before doing so, the Panel will address the consolidation.

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to two nominally different domain name registrants. The Complainant alleges that these two domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As set forth in section 4.11.2 of [WIPO Overview 3.0](#): "Panels have considered a range of factors, typically present in some combination, as useful to determining whether such consolidation is appropriate, such as similarities in or relevant aspects of (i) the registrants' identity(ies) including pseudonyms, (ii) the registrants' contact information including email address(es), postal address(es), or phone number(s), including any pattern of irregularities, (iii) relevant IP addresses, name servers, or webhost(s), (iv) the content or layout of websites corresponding to the disputed domain names, (v) the nature of the marks at issue (e.g., where a registrant targets a specific sector), (vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>), (vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue, (viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s), (ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s), (x) any (prior) pattern of similar respondent behavior, or (xi) other arguments made by the complainant and/or disclosures by the respondent(s)."

As regards common control, the Panel notes the following factors:

(i) the disputed domain names are registered with the same Registrar "Dynadot, LLC" and under the same generic Top-Level Domain ("gTLD") ".com";

(ii) the disputed domain names were registered in the relatively a short time period between July 24, 2024 and December 23, 2024;

(iii) it results from the information disclosed by the Registrar that the disputed domain names share the same phone number in the Whois;

(iv) the disputed domain names are identical to the Complainant's European Union trademarks and were registered on the same day on which the Complainant filed the applications for its corresponding European Union trademarks;

(v) the disputed domain names resolve to webpages where they have been offered for sale - originally for the same amount of USD 2,850 each; and

vi) the postal addresses indicated for the disputed domain names are incomplete.

On the balance of probabilities and taking into account the above circumstances of the present case, the Panel finds that the disputed domain names are under common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party. The Respondents have been given the opportunity to comment on the foregoing and have elected not to file a response or to provide any explanation. In particular, the Respondents failed to come forward with any allegations or evidence to object the consolidation.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

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 trademarks or service marks for the purposes of the Policy, [WIPO Overview 3.0](#), section 1.2.1.

Regarding the disputed domain names <tanspi.com> and <tanbreev.com>, the Panel concludes that they are identical to the corresponding verbal trademarks TANSPI and TANBREEV. As for the disputed domain name <theimpulsebychiesi.com>, the Panel observes that it exactly matches the verbal elements of the trademark THE IMPULSE BY CHIESI. While the latter is a figurative trademark that includes additional design elements and graphical stylization, the Panel disregards these non-verbal elements when assessing identity or confusing similarity, as such design features cannot be represented in domain names, see [WIPO Overview 3.0](#), section 1.10.

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.

The Panel notes that the disputed domain names are offered for sale. In addition, the disputed domain names identically consist of the Complainant’s trademarks or the verbal elements of one of the Complainant’s trademarks. As a result, this Panel finds it most likely that the Respondent selected the disputed domain names with the intention to take advantage of the Complainant’s trademarks by registering domain names consisting of said trademarks or their verbal elements. Such use can neither be considered a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain names, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue in the sense of paragraph 4(c)(i) and (iii) of the Policy.

In addition, the Respondent did not submit any evidence of bona fide pre-Complaint preparations to use the disputed domain names. As outlined above, the Complainant's uncontested allegations demonstrate that it has not authorized the Respondent's use of its trademarks for registering the disputed domain names, which are identical or confusingly similar.

Finally, the Panel notes that there is no evidence in the record that could lead to the conclusion that the Respondent might be commonly known by the disputed domain names in the sense of paragraph 4(c)(ii) of the Policy.

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 names. The Respondent have not rebutted the Complainant's prima facie showing and have 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 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.

One of these circumstances is that the Respondent has registered or acquired the disputed domain names primarily for the purpose of selling, renting, or otherwise transferring the disputed domain names to the Complainant who is the owner of the trademark or service mark or to a competitor of the Complainant, for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain names (paragraph 4(b)(i) of the Policy).

In the present case, the Panel notes that the disputed domain names originally resolved to provider pages offering them for sale at the same price of USD 2,850 each. The asking price for <tanspi.com> and <tanbreev.com> was later raised to USD 2,988, while the price for <theimpulsebychiesi.com> was offered for EUR 2,568.72. The Panel finds that these sums are likely in excess of any out-of-pocket costs directly related to the disputed domain names (see e.g., *Tosara Pharma Limited v. Super Privacy Service LTD c/o Dynadot / zuhal topuz*, WIPO Case No. [D2021-4062](#)).

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. On this regard, the further circumstances surrounding the disputed domain names' registration and use confirm the findings that the Respondent has registered and is using the disputed domain names in bad faith:

- (i) the nature of the disputed domain names incorporating the Complainant's trademarks or verbal elements identically;
- (ii) the timing of the registration, considering that the disputed domain names were registered on the same day on which the Complainant filed the corresponding European Union trademark applications which the Panel considers as a strong indication of the Respondent's intent to unfairly capitalize on the Complainant's nascent trademark rights;
- (iii) the clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain names;
- (iv) the Respondent failing to reply to the pre-complaint warning letters sent by the Complainant;

(v) the Respondent concealing its identity behind privacy services and providing incomplete or false contact details when registering the disputed domain names considering the courier's inability to deliver the Written Notice; and

(vi) indications that the Respondent has been involved in multiple prior UDRP proceedings, all of which concluded with findings of bad faith and the transfer of the disputed domain names. In each case, the Respondent "mesut erdogan" registered the domain names on the same day the Complainant filed for its corresponding European Union trademarks and later offered the disputed domain names for sale at USD 2,850. Additionally, uncontested evidence shows that the Respondent "Domain Admin" used the email address "...@catchdaddy.com," which was also used by another respondent in earlier UDRP cases that likewise resulted in domain name transfers.

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 <tanbreev.com, <tanspi.com> and <theimpulsebychiesi.com> be transferred to the Complainant.

/Tobias Malte Müller/

Tobias Malte Müller

Sole Panelist

Date: July 9, 2025