

ADMINISTRATIVE PANEL DECISION

Dr. Sheba Roy v. Bullshit Rates

Case No. D2025-1960

1. The Parties

The Complainant is Dr. Sheba Roy, United States of America (“United States”), represented by Cohen Lerner Rabinovitz PC, United States.

The Respondent is Bullshit Rates, United States.

2. The Domain Name and Registrar

The disputed domain name <shebaroy.com> 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 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 name. On May 17, 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 (Aaron Gerchak) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 19, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant amended the Complaint on May 23, 2025, and June 17, 2025.

The Center verified that the Complaint together with the amendments 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 June 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 9, 2025. The Respondent did not submit any response.¹ Accordingly, the Center notified the Respondent’s default on July 17, 2025.

¹Given the absence of a Response, the Panel has carefully reviewed the record to ensure that the Respondent received the opportunity for fair notice of this proceeding. See *Nicole Kidman v. John Zuccarini, d/b/a Cupcake Party*, WIPO Case No. [D2000-1415](#). The Center

The Center appointed David H. Bernstein as the sole panelist in this matter on July 23, 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 board-certified integrative oncologist and practitioner of neuropathic medicine in Michigan, United States. She works for Associates of Integrative Medicine (AIM). AIM offers services including cancer treatment, cancer prevention, cancer survivorship, general wellness, nutrition, mind-body medicine, and mental health. The Complainant also presents at medical conferences on topics like cancer survivorship and prevention.

The disputed domain name was registered on October 12, 2022, it resolves to a website offering critical commentary about the Complainant, who the Respondent alleges is an “unlicensed medical doctor.” The top of the landing page of the disputed domain name states that “this website is not authorized by Sheba Roy or AIM Natural and Reflects the Author’s Opinion” and “Unauthorized Review of Sheba Roy.” The disputed domain name includes warnings about the dangers of naturopathic medicine and includes what appears to be the Respondent’s personal experience with the Complainant. The disputed domain name includes other stories and warnings about unlicensed doctors beyond the Complainant.

5. Parties’ Contentions

A. Complainant

The Complainant contends that she has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant alleges that the website is identical to her name, for which she has common law trademark rights, as she has continuously used her name in commerce in connection with her naturopathic medical practice in Michigan. The Complainant asserts that she is one of only three board certified integrative oncologists in the State of Michigan and her name has gained distinctiveness and secondary meaning as a source identifier for her services and medical practice.

Next, the Complainant asserts that the Respondent has no rights or legitimate interest in the disputed domain name because it is not known by the name “Sheba Roy” and the disputed domain name is not used for any bona fide offering of goods or services. The Complainant alleges that the disputed domain name hosts a website solely dedicated to publishing defamatory and misleading content about the Complainant, including false claims about her credentials, mental health, and professional conduct.

Finally, the Complainant alleges that the disputed domain name was registered in bad faith because it aims to attract users for a malicious purpose to create confusion with the Complainant’s mark. The Complainant contends that the Respondent is the husband of a former patient of the Complainant. The Complainant also alleges that the Respondent’s use of a privacy filter indicates an intent to conceal its identity while engaging in harmful conduct.

sent notification of the Complaint to the Respondent by courier and email. The courier package was not delivered, presumably because the address was incorrect. The email notice did not bounce back so it appears to have been received. It thus appears that the Respondent received actual notice of the Complaint by email. Regardless, the Panel finds that the Center has discharged its obligation to provide fair notice to the Respondent as required by the Rules, paragraph 2(a).

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant asserts common law trademark rights in her personal name. To establish common law trademark rights, the Complainant must show that she uses her name as a trademark in commerce and her name has become a distinctive identifier that consumers associate with the Complainant's services. The Complainant can show distinctiveness or secondary meaning in her name through evidence like (i) the duration and nature of use of her name as a trademark or service mark, (ii) the amount of sales under her name when used as a trademark or service mark, (iii) the nature and extent of advertising using her name as a trademark or service mark, (iv) the degree of actual public (e.g., consumer, industry, media) recognition of her name as a trademark or service mark, and (v) consumer surveys showing that her name (which starts out as being merely descriptive) has acquired distinctiveness, also known as secondary meaning. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") Section 1.3.

The Complainant contends that she uses her name in commerce in connection with her naturopathic medical practice and that she is one of three board certified integrative oncologists in the State of Michigan. As evidence of use in commerce, the Complainant includes her CV; her bio on the AIM website; her bio on the Natural Medicine Journal website; an Instagram post from the AIM account that advertises a presentation given by the Complainant; a screenshot of a YouTube video from the AIM account titled "Who is Dr. Sheba Roy"; an advertisement for a presentation given by the Complainant, which is accompanied by the AIM logo; and a flyer for another presentation given by the Complainant and her AIM colleague, this one without any AIM branding.

The evidence in the record does not establish that the Complainant has common law trademark rights in her name. As other UDRP decisions have established, being a professional and using one's name in the profession is not itself enough to establish trademark rights.

For example, in *Winiarsky v. Bank*, WIPO Case No. [D2025-0047](#), the Panel denied transfer of the domain name <nativwiniarsky.com> to lawyer Nativ Winiarsky, who was a named partner at Kucker Marino Winiarsky & Bittens LLP. Mr. Winiarsky had practiced law since 1996, had a page devoted to his practice on the law firm website, authored articles in professional publications, and appeared in media articles and podcasts. The panel found that this evidence did not establish common law rights in his name. Although Mr. Winiarsky's name formed part of his law firm's name, the firm used the name "Kucker Marino" in its domain name and on other advertising materials and used the initials "KMWB" on its logo. There was no evidence on the website or in the record that Mr. Winiarsky's firm used the name "Winiarsky" to sell or advertise its services, and therefore, Mr. Winiarsky had not established that his name was recognized by the relevant market as a service for his law firm.

Similarly, in *Leccese v. Crystal Cox*, WIPO Case No. [D2011-0679](#), the panel denied transfer of the domain name <joesphleccese.com> to Joseph Leccese, the managing partner of the law firm Proskauer Rose, LLP. Mr. Leccese's name was featured on Proskauer's website, promotional materials, and client newsletters. He was listed on bills sent to clients for Proskauer's legal services. Mr. Leccese was named as a "super lawyer," a "leading dealmaker," and one of the "best lawyers in America" in various publications, and he had been quoted, interviewed, and profiled in publications like the *Sports Business Journal*, *The New York Post*, and *Bloomberg News*. Although the record suggested Mr. Leccese was a highly respected, prominent lawyer, the panel found there was insufficient evidence that he marketed or provided services independently of the law Proskauer law firm. Instead, the Proskauer was the platform on which he provided his legal services. See also *Doctor Pablo Clavel Laria v. Christophe Stanic / Christophe Stann*, WIPO Case No. [D2020-1126](#)

(complainant doctor failed to show trademark rights in his name); *Mr. Cinar Orge Saylan and Mr. Caglayan Orge Saylan v. GKG.NET Domain Proxy Service/The Fact Co., Winston Smith*, WIPO Case No. [D2010-0248](#) (complainants failed to show trademark rights in the personal name of their father, a well-known professor, doctor and humanitarian).

Like in *Winiarsky* and *Leccese*, the record establishes that the Complainant's services are offered under the Associates of Integrative Medicine or AIM mark, not under her name. The Complainant works for AIM. AIM's services are offered at the website <aimnatural.com>. The top of the landing page of the AIM website writes "Associates of Integrative Medicine" accompanied by the AIM logo. There are several services offered under the website: cancer prevention, cancer survivorship, general wellness, nutrition, mind-body medicine, and mental health. The website gives no indication that it is the Complainant alone who offers these services. Indeed, her colleague, Dr. Mensah, also is listed as taking patients and providing services for general wellness. Where the website and CV uses the Complainant's name, it is used descriptively to identify Dr. Roy, not in a way that presents SHEBA ROY as a trademark or service mark for any goods or services.

Although the Complainant's CV indicates that she often gives presentations, many of those presentations also are listed as "events" on the AIM website. These events often take place at AIM's offices, and advertisements for these events include the AIM name and AIM branding. Dr. Mensah is also listed under many of these events as a presenter. Thus, these presentations are best seen as advertisements for AIM. The Complainant is identified by name to describe her as one of the presenters, but her name is not presented in a trademark-like fashion.

The Complainant has not submitted any evidence of the duration of use, nature of use, the amount of sales, or the degree of actual public recognition of her name as a mark. The Panel also notes that the name "Sheba Roy" is not unique – there are several other Sheba Roys, including another Sheba Roy who is a doctor in pharmacy.

Taken together, the Complainant has not shown that she has established common law trademark rights in her name. Thus, she has not satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Given the Panel's finding on the first element of the Policy, it is not necessary to reach a conclusion on the second element.

C. Registered and Used in Bad Faith

Given the Panel's finding on the first element of the Policy, it is not necessary to reach a conclusion on the third element.

7. Decision

For the foregoing reasons, the Complaint is denied.

/David H. Bernstein/

David H. Bernstein

Sole Panelist

Date: August 6, 2025