

## **ADMINISTRATIVE PANEL DECISION**

Lonza Ltd. v. Edward Cullen, Orange Frontier LLC  
Case No. D2025-2044

### **1. The Parties**

The Complainant is Lonza Ltd., Switzerland, represented by Greer, Burns & Crain, Ltd., United States of America (“United States”).

The Respondent is Edward Cullen, Orange Frontier LLC, United States, self-represented.

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

The disputed domain name <lonzatoken.com> is registered with Squarespace Domains LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 23, 2025. On May 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 23, 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 (Registrant Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 28, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant elected not to amend the Complaint.

The Center verified that 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 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 30, 2025. The Respondent sent a number of email communications to the Center, and filed a formal Response on June 2, 2025. The Complainant submitted a supplemental filing on July 2, 2025, to which the Respondent replied on the same day. The Respondent made a number of subsequent supplemental filings.

The Respondent emailed the Center on July 27, 2025, offering to transfer the disputed domain name to the Complainant, stating that the Respondent no longer wanted it. On July 28, 2025, the Center invited the Complainant to submit a request for suspension of the proceedings if it wished to give the parties an opportunity to explore settlement options. On the same date, the Complainant emailed the Center to say that it would not be seeking a suspension and requesting that the proceedings continue.

The Center appointed Adam Taylor as the sole panelist in this matter on August 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 is part of a group that, since 1955, has traded in the pharmaceutical, biotech and nutrition industries under the mark LONZA, with revenues in excess of USD 2.3 billion in 2024.

The Complainant's group owns a number of registered trade marks for LONZA including United States trade mark No. 956,300, registered on April 3, 1973, in classes 1, 2, 4, and 5.

The Complainant operates a website at "www.lonza.com".

The disputed domain name was registered on May 7, 2025.

As of May 19, 2025, the disputed domain name resolved to an under-construction page.

#### **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 Respondent lacks rights or legitimate interests in the disputed domain name;
- the Respondent does not own, and has not applied for, a registered trade mark for LONZA;
- the Respondent must have been aware of the Complainant's mark when it registered the disputed domain name;
- the Respondent is holding the disputed domain name passively; and
- the totality of the circumstances are indicative of bad faith.

##### **B. Respondent**

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

In its email to the Center on May 28, 2025, the Respondent states that the disputed domain name was "being used for research purposes before web 2 domains are extinct" and that the Respondent is "a proficient blockchain and digital assets entrepreneur".

In its Response, the Respondent contends that:

- the UDRP does not apply to the disputed domain name<sup>1</sup>;

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<sup>1</sup> For convenience, the Respondent's detailed arguments on this point are summarised in the Panel's discussion regarding jurisdiction in section 6.1 below.

- the Complainant is challenging the Respondent's ownership and development of the disputed domain name, and associated brand "LonzaToken", on the basis of alleged trade mark infringement, but the Respondent asserts full ownership of, and independent intellectual property rights in, such assets;
- the Respondent lawfully acquired the disputed domain name at a time when the Complainant had no rights or involvement in blockchain, Web3 infrastructure, or tokenised financial systems;
- the Respondent acquired the disputed domain name in good faith, with no intent to capitalise on, or misrepresent any association with, the pharmaceutical or biotech industry;
- the Complainant's trade marks are limited to pharmaceutical and life sciences categories, whereas the Respondent's project, rooted in Web3 financial infrastructure, exists in entirely different classes, notably 9, 36, and 42;
- there is no likelihood of consumer confusion as the Respondent's branding, technical white papers and marketing clearly position LonzaToken as a decentralized, token-based protocol, unrelated in audience, service, or industry to the Complainant's pharmaceutical offerings;
- the Respondent has developed wholly original intellectual property rights around LonzaToken (including proprietary tokenomics systems, smart contract frameworks, blockchain-enabled identity and utility modules, and governance design for community and investor oversight) that predate any interest the Complainant may now express in the blockchain space, with the result that the Complainant would be unable to commercialise a blockchain token under its own brand without infringing on the Respondent's original work, and would require a licence from the Respondent;
- the Respondent's ownership of the disputed domain name is not only valid but functionally distinct and legally defensible;
- allowing the Complainant to take control of the disputed domain name would amount to reverse appropriation, whereby legacy corporations retroactively claim Web3 innovations built by independent developers and entrepreneurs, contrary to the principles of intellectual property innovation and decentralised technological sovereignty; and
- the Respondent is prepared to disclose any relevant technical documentation, whitepapers, or legal references subject to a mutual non-disclosure agreement.

## **6. Discussion and Findings**

### **6.1 Preliminary Issues**

#### **A. Jurisdiction**

In its Response, the Respondent raises the following objections to the applicability of the UDRP:

- the UDRP explicitly applies only to domain names registered via ICANN-accredited registrars that reside within the "Domain Name System (DNS)", whereas blockchain-based domains (e.g., .eth, .crypto, .nft) are not subject to the UDRP as they exist outside the centralized registrar agreements structure and are instead governed by decentralised smart contracts and wallet-based ownership;
- there is no means of enforcing a changing of ownership of Web3 domains, which cannot be locked, transferred, or cancelled by a registrar;
- Web3 domain names perform an entirely different function to conventional domain names (e.g., routing blockchain payments, resolving smart contract identities, storing metadata, facilitating decentralised governance), placing them in a different technical and legal category;
- even if a disputed domain is technically a DNS-based ICANN domain (e.g., "exampletoken.com"), its use and branding context may exist exclusively within the Web3 ecosystem, and a domain name intended solely to represent a blockchain protocol or decentralized asset should not be subject to the same legal lens as a traditional commerce website; and
- UDRP panels are not equipped to evaluate use cases, branding strategies, and on-chain integrations that drive such projects, and arbitrating Web3 cases without jurisdiction, infrastructure, or industry input would enable legacy rights holders to retroactively challenge decentralized innovations in forums that lack the context to rule fairly, thereby stifling technological progress.

The Panel disagrees with the Respondent's assertions.

The Panel does not consider that the Respondent's contentions regarding the inapplicability of the UDRP to "Web3" domain names are relevant or correct, given that the disputed domain name is a conventional "Web2" domain name with a ".com" suffix. Indeed, the Registrar has confirmed that the UDRP is incorporated into the registration agreement whereby the Respondent registered the disputed domain name.

The Respondent also seeks to evade this obstacle by claiming that the disputed domain name should be treated as if it were a Web3 domain name – and therefore outside the UDRP – because its use and branding context "exist exclusively within the Web3 ecosystem". This is equally irrelevant; the Respondent has agreed to the terms of the UDRP when registering the disputed domain name.

Accordingly, the Panel will proceed to a decision.

## **B. Consent to Remedy**

The Respondent indicated in an email of July 27, 2025, that it consented to transfer of the disputed domain name to the Complainant without the need for a decision by the Panel. See section 3 above.

Many panels will order transfer solely on the basis of a consent to transfer by the respondent on the record, but panels may still find it appropriate to proceed to a substantive decision on the merits in certain circumstances. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 4.10.

In this case, the Panel has decided to proceed to a substantive determination because: (i) the Panel finds a broader interest in recording a substantive decision on the merits – e.g., so that other future UDRP can take the matter into account when considering whether there is a pattern of bad faith conduct under 4(b) of the Policy; and (ii) the Complainant has not agreed to accept such consent and has expressed a preference for a recorded decision.

## **C. Supplemental Filings**

As mentioned in section 3 above, the Complainant has made an unsolicited supplemental filing, which was followed by a number of supplemental filings by the Respondent.

Paragraph 10(d) of the Rules gives the panel authority to determine the admissibility, relevance, materiality and weight of the evidence. Paragraph 10(a) requires the Panel to conduct the proceedings with due expedition.

In this case, the Panel has decided to reject the Complainant's filing on the grounds that the material therein is repetitive, or standard rebuttal, or the Panel does not consider it necessary to its decision. Accordingly, the Panel also declines to admit the Respondent's subsequent supplemental filings.

The Panel would add that, had they been admitted, none of the supplemental filings would have made any difference to the outcome of this case.

## **6.2 Substantive Issues**

### **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 trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainant has produced evidence of a United States trade mark for LONZA. Accordingly, the Complainant has shown rights in respect of a trade mark 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.

The Panel finds the mark is recognisable 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, “token”) 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 recognised 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.

As to paragraph 4(c)(i) of the Policy, there is no evidence that the disputed domain name has ever been used for an active website.

While the Respondent’s May 28, 2025, email states that the disputed domain name is being used “for research purposes”, and the Response alludes to use as part of a Web3 financial infrastructure/blockchain project, the Respondent has not clearly explained its actual use, if any, of the disputed domain name to date, let alone provided evidence of such use. If the Respondent is referring to future plans, it ought to have produced clear contemporaneous evidence of bona fide pre-complaint preparations that predate the respondent’s notice of the dispute and that go beyond a mere statement of a claimed intention. [WIPO Overview 3.0](#), section 2.2.

Although the Respondent indicates a willingness to produce project information, it has conditioned this on execution of a non-disclosure agreement, a process not catered for by the UDRP. The Respondent could nonetheless have protected itself by redacting anything confidential, while still complying with its obligation to produce evidence sufficient to demonstrate genuine and legitimate use or intended use of the disputed domain name. By not providing any evidence at all, the Respondent has failed to meet the burden of production under the second element, mentioned above.

Furthermore, there is no evidence that paragraphs 4(c)(ii) or (iii) of the Policy are relevant in the circumstances of this case.

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

### **C. Registered and Used in Bad Faith**

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.

While there is no evidence that the disputed domain name has ever been used for an active website, panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the record, the Panel considers that the following circumstances are indicative of passive holding in bad faith:

First, the Complainant's mark is longstanding and highly distinctive.

Second, as mentioned under the second element above, the Respondent has not supplied any evidence regarding intended or actual good faith use of the disputed domain name either (a) for research purposes, per the Respondent's email of May 28, 2025; or (b) in connection with the Respondent's alleged Web3 project, per the Response.

Third, not only does the Respondent not deny the Respondent's awareness of the Complainant, but it puts forward no explanation for its selection of the word "lonza" in the disputed domain name. Instead, the Response focuses mainly on issues relating to trade mark infringement, the alleged differences between the Parties' respective offerings/industries and bald assertions of good faith/denials of likely confusion. The Panel would add that, contrary to the Respondent's assertion, this case is not concerned with trade mark infringement but, rather, with whether or not the Respondent registered and used the domain name in bad faith, i.e., to illicitly target the Complainant's mark.

Fourth, the Respondent has engaged in a pattern of bad faith conduct, having been subject to an adverse finding by this Panel in two other UDRP cases involving domain names comprising third party trade marks plus the word "token". See *Molson Canada 2005, Coors Brewing Company, Molson Coors Beverage Company v. Edward Cullen, Crescite Innovation Corporation*, WIPO Case No. [D2025-2240](#) (<molsoncoorstoken.com>) and *AXA SA v. Edward Cullen, Crescite Innovation Corporation*, WIPO Case No. [D2025-2329](#) (<axatoken.com>).

Finally, the Panel will deal with some additional arguments raised by the Respondent:

- That the Respondent acquired the disputed domain name at a time when the Complainant was not involved in Web3. The Panel does not consider the fact that the Complainant operated in a different industry to the Respondent assists the Respondent, given that, as mentioned above, the Respondent has not denied awareness of the Complainant when it registered the disputed domain name, nor sought to explain its incorporation of the Complainant's distinctive mark into the disputed domain name.
- That any effort by the Complainant to take control of the disputed domain name would involve "reverse appropriation" of the Respondent's "Web 3 innovations". The Panel would observe that this proceeding is not concerned with the Respondent's rights in any technologies and that it does not involve any transfer of any technologies to the Complainant. Rather, the case simply relates to the Respondent's registration and use of the disputed domain name (which exists in "Web2", not the Respondent's alleged Web3 space), and to the Respondent's entitlement or otherwise to retain that domain name in circumstances where the

Complainant has (justifiably) alleged that the Respondent registered and used it to illicitly target the Complainant's mark.

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 <lonzatoken.com> be transferred to the Complainant.

*/Adam Taylor/*

**Adam Taylor**

Sole Panelist

Date: August 26, 2025