

ADMINISTRATIVE PANEL DECISION

Getz Pharma International FZ LLC v. Rohan Desai, Getz pharma
Case No. D2025-2051

1. The Parties

The Complainant is Getz Pharma International FZ LLC, Pakistan, represented by Coulson Harney LLP, Kenya.

The Respondent is Rohan Desai, Getz pharma, India.

2. The Domain Name and Registrar

The disputed domain name <getzpharma.org> is registered with Hostinger Operations, UAB (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 26, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

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 May 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 17, 2025.

The Center appointed Fabrizio Bedarida 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 in this administrative proceeding is Getz Pharma International FZ LLC (“Getz Pharma”), a pharmaceutical company duly incorporated under the laws of Pakistan. Getz Pharma is a leading pharmaceutical company in Pakistan and one of the largest Pakistani exporters of pharmaceutical products, to over thirty countries.

The Complainant is, inter alia, the owner of:

Nigerian Trademark Registration number 88449 for the G GETZ PHARMA (device) trademark, registered on November 11, 2009.

Pakistan Trademark Registration number 264858 for the GETZ PHARMA (word) trademark, registered on April 14, 2009; and

Cambodian Trademark Registration number KH/25485/07 for the GETZ PHARMA (word) trademark, filed on August 2, 2016.

The Complainant is also the owner of the domain name <getzpharma.com>, registered on June 5, 2000. The Complainant uses this domain name in its business of manufacturing, distribution, and marketing of pharmaceutical products around the world. The Complainant also owns various country code top-level domain (ccTLD) and generic top-level domain (gTLD) domain names that incorporate the validly registered GETZ PHARMA trademark.

The Complainant has shown that it also has a presence in Nigeria through the company Getz Pharma Nigeria Limited which was incorporated on October 22, 2009, and commenced operations in 2012 in Nigeria.

The disputed domain name was registered on May 9, 2024. At the time the complaint was filed, the disputed domain name redirected to a website in which it referred to the Respondent’s purported operations in Nigeria and West Africa and its products being chemicals, lubricants and industrial MRO.

On December 2024, the Complainant sent a cease-and-desist letter to the Registrar and the Respondent, which remains unanswered.

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 to the Complainant’s trademark GETZ PHARMA and to its domain name <getzpharma.org>; that the Respondent has no rights or legitimate interests with respect to the disputed domain name; that the Complainant has a significant presence in many countries and has also significant goodwill in Nigeria, and that the registration of the disputed domain name was made in bad faith with knowledge of the Complainant’s activity and rights to the GETZ PHARMA trademark, and was aimed at misleading consumers into linking the Complainant’s goods to the Respondent’s goods.

B. Respondent

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

6. Discussion and Findings

In order for the Complainant to obtain a transfer of the disputed domain name, paragraph 4(a) of the Policy requires that the Complainant must demonstrate to the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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.

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

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 name of the purported Registrant Organisation provided by the Registrar to the Complainant and to the Center is "getz pharma", and this is potentially relevant because of paragraph 4(c)(ii) of the Policy. However, for the reasons discussed in relation to bad faith below, it is likely that the Respondent adopted this name and registered the disputed domain name in order to benefit from perceived association with the Complainant, which cannot give rise to rights or legitimate interests. The Panel also noted, in this regard, that there is no evidence before the Panel that the Respondent is actually commonly known by the disputed domain name or "Getz Pharma."

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.

Panels have held that the use of a domain name for illegitimate activity, here, claimed as impersonation, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

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.

The disputed domain name contains, in its entirety, without any authorization or approval, the Complainant's registered GETZ PHARMA trademark.

The Complainant has shown that it also has a presence in Nigeria through the company Getz Pharma Nigeria Limited which was incorporated on October 22, 2009, and commenced operations in 2012 in Nigeria.

It is therefore highly likely that the Respondent was aware of the Complainant's activity, Complainant's company Getz Pharma Nigeria Limited, and the Complainant's GETZ PHARMA trademark registrations which are also valid in Nigeria (where the Respondent, according to the contents displayed on its website, is a purported "leading chemical supplier" with a listed address in Lagos, Nigeria), when it registered the disputed domain name.

In this regard, the Panel notes that on the Respondent's website on the "our services" page, the contents and the services described are not related to the chemical sector; instead they are wholly related to the pharmaceutical industry and specifically to the Complainant. Therefore, the Respondent's attempt to create a likelihood of confusion with the Complainant's trademark, as well as to impersonate the Complainant, appear evident.

Panels have held that the use of a domain name for illegitimate activity as here, claimed impersonation, to be used to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and the products that it purports to offer on it, constitutes bad faith use of the disputed domain name for the purposes of the Policy.

Finally, the bad faith registration and use of the disputed domain name are also affirmed by the fact that the Respondent did not respond to the Complainant's cease-and-desist letter, nor has it denied the assertions of bad faith made by the Complainant in these proceedings.

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 <getzpharma.org> be transferred to the Complainant.

/Fabrizio Bedarida/

Fabrizio Bedarida

Sole Panelist

Date: July 9, 2025