

## **ADMINISTRATIVE PANEL DECISION**

Sanofi Biotechnology v. HERYANTO HERYANTO, SEO  
Case No. D2025-2200

### **1. The Parties**

The Complainant is Sanofi Biotechnology, France, represented by Selarl Marchais & Associés, France.

The Respondent is HERYANTO HERYANTO, SEO, Indonesia.

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

The disputed domain name <kevzara.ltd> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 5, 2025. On June 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 6, 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 (Registration Private Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 6, 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 amendment to the Complaint on June 10, 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 Respondent of the Complaint, and the proceedings commenced on June 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 8, 2025.

The Center appointed Tobias Malte Müller as the sole panelist in this matter on July 16, 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**

It results from the Complainant's undisputed allegations that it is a French company, devoted to research and development in the field of biotechnology. It is the registered owner of an international trademark portfolio for the sign KEVZARA e.g., which is used for a drug designed to combat rheumatoid arthritis or polymyalgia rheumatica:

- French trademark no. 4101837, registered on October 24, 2014, for goods in class 5.
- European Union trademark no. 013228151, registered on December 2, 2015, for goods in class 5;
- International trademark no. 1232483, registered on November 12, 2015, for goods in class 5 and designating 18 countries.

The Respondent registered the disputed domain name on May 6, 2025. Finally, the undisputed evidence provided by the Complainant proves that the disputed domain name currently resolves to a commercial online slot gambling website (to the best of the Panel's knowledge, in Indonesian language) and with additional commercial banners and advertisements.

#### **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:

- (1) The disputed domain name reproduces the KEVZARA trademark which, as itself, does not have any particular meaning and is therefore highly distinctive;
- (2) The Respondent has neither prior right nor legitimate interest to justify the use of the already well-known and worldwide trademarks and domain names of the Complainant. Further, there is no relationship whatsoever between the parties and the Respondent has incorporated the trademark KEVZARA into his domain name without the Complainant's authorization. Finally, the Respondent is using the disputed domain name for gambling contents and to provide game services which does not constitute an example of rights and legitimate interests;
- (3) The Respondent has neither prior right nor legitimate interest to justify the use of the already well-known and worldwide trademarks and domain names of the Complainant. The absence of legitimate interest somewhat induces the absence of good faith. Furthermore, the Respondent must have been aware of the risk of deception and confusion that would arise from the registration of the disputed domain name since it could lead Internet users searching for official information or SANOFI pharmaceutical products to the litigious website. This knowledge characterizes Respondent's bad faith in registering the domain name. Finally, this case constitutes an example of gambling squatting in which confusion with a well-known trademark is used to divert customers to a gambling website for commercial purposes.

## **B. Respondent**

The Respondent 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 each 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.

### **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 identically reproduced within the disputed domain name and represents the entire second level domain. The applicable Top Level Domain ("TLD") in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element test, [WIPO Overview 3.0](#), section 1.11.1. 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.

In the case at hand, the disputed domain name currently resolves to a commercial online slot gambling website with additional commercial banners and advertisements. Such use for commercial online gambling services can neither be considered a bona fide offering of goods or services nor a legitimate noncommercial or fair use of the disputed domain name in the sense of paragraphs 4(c)(i) and (iii) of the Policy.

Furthermore, the Panel finds it highly likely that the Respondent registered the disputed domain name with the intent to take advantage of the Complainant's registered trademarks KEVZARA by registering a domain name which consists an identical trademark with the intent to attract Internet users for commercial gain to a gambling website.

Finally, the Panel does not dispose of any elements that could lead the Panel to the conclusion that the Respondent is commonly known by the disputed domain name or that it has acquired trademark rights pursuant to 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 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 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 by using the disputed domain name, has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or location or of a product or service on its website or location (paragraph 4(b)(iv) of the Policy).

It is the view of this Panel that these circumstances are met in the case at hand. In fact, in the present case, the Panel notes that the disputed domain name resolves to a commercial online slot gambling website with additional commercial banners and advertisements. In addition, the Complainant's trademarks KEVZARA have existed for more than a decade, and the disputed domain name consists in its second level domain only of said distinctive trademark. Therefore, this Panel has no doubt that the Respondent positively knew of the Complainant and its trademarks KEVZARA when it registered the disputed domain name. Registration of the disputed domain name by the Respondent in awareness of a third party's mark and in the absence of rights or legitimate interests in this case amounts to registration 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. In the Panel's view, the following further circumstances surrounding the disputed domain name's registration and use confirm the above findings that the Respondent has registered and is using the disputed domain name in bad faith:

- (i) a clear absence of rights or legitimate interests coupled with no explanation or evidence for the Respondent's choice of the disputed domain name;
- (ii) the Respondent's failure to submit a formal response;
- (iii) the Respondent hiding his identity behind a privacy shield;
- (iv) the implausibility of any good faith use to which the disputed domain name may be put; and

(v) the Respondent providing incomplete or false contact details when registering the disputed domain names considering the courier's inability to deliver the Written Notice due to bad address.

In the light of the above, and in the absence of any evidence to the contrary, the Panel finds that the disputed domain name has been registered and is being used in bad faith. The Complainant is therefore deemed to also have satisfied the third element, paragraph 4(a)(iii) of 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 <kevzara.ltd> be transferred to the Complainant.

*/Tobias Malte Müller/*

**Tobias Malte Müller**

Sole Panelist

Date: July 30, 2025