

## **ADMINISTRATIVE PANEL DECISION**

Sanofi v. rahil ahmed, rahil foods

Case No. D2025-2234

### **1. The Parties**

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

The Respondent is Rahil Ahmed, Rahil Foods, India.

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

The disputed domain name <sanofihealthcareindia.com> 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 June 9, 2025. On June 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 11, 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 (-) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 11, 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 19, 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 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 14, 2025.

The Center appointed Gökhan Gökçe 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**

The Complainant is a French multinational pharmaceutical company ranking fourth in the world in the pharmaceutical industry.

The Complainant owns a large portfolio of SANOFI trademarks in relation to various goods such as follows:

- French Registration No. 3831592, registered on May 16, 2011;
- European Union Registration No. 010167351, registered on January 7, 2012;
- International Registration No. 1091805, registered on August 18, 2011;
- United Kingdom Registration No. UK00001483425, registered on January 15, 1993.

The Complainant also owns many domain names, including the word “sanofi” such as follows:

- <sanofi.com>, registered on October 13, 1995.
- <sanofi.eu>, registered on March 12, 2006.

The disputed domain name was registered on April 24, 2025, and it resolves to an inactive 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 disputed domain name is confusingly similar to its trademarks;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name;
- the Respondent has registered and is using the disputed domain name in bad faith.

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

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

#### **6. Discussion and Findings**

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark 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.

Paragraph 4(a) of the Policy states that the Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the reasonable factual allegations provided in the Complaint as true. See section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

For the evaluation of this case, the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistently with the consensus views stated therein.

#### **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 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 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, "healthcare" and "India" 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.

Lastly, the addition of the generic Top-Level Domain ("gTLD") ".com" to the disputed domain name has no relevance for the first element confusing similarity test. Therefore, the Panel finds the addition of the gTLD does not prevent a finding of confusing similarity between the disputed domain name and the trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.11.1.

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.

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 notes that:

- (i) First of all, the Respondent has not submitted any response and has not claimed any rights or legitimate interests with respect to the disputed domain name.
- (ii) The Complainant's trademark is globally recognized and has acquired distinctiveness through extensive use. There is no evidence that the Respondent has been commonly known by the disputed domain name, nor that it has received any license or authorization to use the Complainant's trademark.
- (iii) The Panel notes the composition of the disputed domain name which carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.
- (iv) The Respondent's registration of the disputed domain name on April 24, 2025 was significantly later than the Complainant's registration of its trademarks. Prior to the Respondent's registration of the disputed domain name, the Complainant's trademarks had enjoyed certain fame and reputation.
- (v) The disputed domain name does not resolve to an active website. There is no evidence in this case indicating that the Respondent has used or made any preparations to use the disputed domain name in connection with a bona fide offering of goods or services prior to the dispute. Although given the opportunity, the Respondent has failed to invoke any circumstances which could demonstrate, pursuant to paragraph 4(c) of the Policy or otherwise, any rights or legitimate interests in respect of the disputed domain name.

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.

In the present case, the Panel notes that the Complainant has provided evidence of multiple trademark registrations for the SANOFI trademark that predate the registration of the disputed domain name.

The Panel also notes that the Complainant's trademark is considered well-known according to a number of UDRP decisions cited by the Complainant. This and the fact that the disputed domain name comprises the Complainant's trademark in its entirety with the addition of the descriptive term "healthcare" closely related to the Complainant's area of business make it inconceivable that the Respondent coincidentally selected the disputed domain name without any knowledge of the Complainant and its trademarks.

Hence, the Panel concludes that the Respondent knew or should have known the existence of the Complainant's trademarks when registering the disputed domain name.

As it has been established "The mere registration of a domain name that is identical or confusingly similar (particularly domain names [...] incorporating the mark plus a descriptive term) to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith". [WIPO Overview 3.0](#).,

section 3.1.4, and *Carrefour SA v. Domain Administrator, See PrivacyGuardian.org / Zhiqiang Chen*, WIPO Case No. [D2022-1851](#). The fact that there is no evidence that the disputed domain name has been actively used does not prevent the finding of bad faith use.

In the present case, the Panel notes that the disputed domain name, which reproduces the SANOFI trademark with the mere addition of the generic term “healthcare” and the geographic term “India”, combined with the gTLD “.com”, falsely suggests that Internet users will find a website affiliated with the Complainant and related to its healthcare operations in India. The Respondent has sought to create a misleading impression of association with the Complainant, a well-known company in the pharmaceutical and healthcare sector, when registering the disputed domain name.

The disputed domain name resolves to an inactive page. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant’s trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under 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 <sanofihealthcareindia.com> be transferred to the Complainant.

*/Gökhan Gökçe/*

**Gökhan Gökçe**

Sole Panelist

Date: July 30, 2025