

ADMINISTRATIVE PANEL DECISION

Medical University of South Carolina v. johnnutswmeds lang, Power Corporation
Case No. D2025-2237

1. The Parties

Complainant is Medical University of South Carolina, United States of America (“United States”), represented by Nelson Mullins Riley & Scarborough, LLP, United States.

Respondent is johnnutswmeds lang, Power Corporation, United States.

2. The Domain Name and Registrar

The disputed domain name <muschealthmedical.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 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 (REDACTED FOR PRIVACY, Privacy Protect, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on June 13, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on June 19, 2025.

The Center verified that the Complaint together with the amended 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 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. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on July 23, 2025.

The Center appointed Timothy D. Casey as the sole panelist in this matter on July 30, 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

Complainant is a research, healthcare and education provider in South Carolina, United States that has operated since 1824. Complainant's main campus is located in Charleston, South Carolina and further includes more than 100 outreach locations throughout the state. Complainant services over one million patients annually. Complainant is the owner of trademarks in the United States, some of which were first used in 1969, including "musc" as an element of the mark (the "MUSC Marks") as follows:

Mark	Jurisdiction	Class(es)	Registration No.	Registration Date
MUSC	United States	41, 42, and 44	7,037,183	April 25, 2023
MUSC HEALTH	United States	44	7,358,839	April 16, 2024
MUSC MEDICAL UNIVERSITY OF SOUTH CAROLINA	United States	41, and 44	3,094,683	May 23, 2006

Complainant has operated a healthcare-focused website since at least 1998 using the <muschealth.org> domain name and also owns the <muschealth.com> domain name, which directs to Complainant's website.

The disputed domain name was registered May 9, 2025. At the time of filing the Complaint, the disputed domain name did not resolve to an active website.

5. Parties' Contentions

A. Complainant

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

Notably, Complainant contends that it has rights in the MUSC Marks, as evidenced herein and that the disputed domain name is confusingly similar to the MUSC Marks because it incorporates some or all of the MUSC Marks, with only the addition of the descriptive word "medical," which is also part of Complainant's name.

Complainant contends that Respondent is not commonly known by the disputed domain name and Complainant has not authorized Respondent to use the MUSC Marks or otherwise licensed to use the MUSC Marks. Complainant contends Respondent cannot assert that it has been using, or made demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods or services and that there is no legitimate noncommercial or fair use of the disputed domain name. Complainant contends that Respondent most likely registered the disputed domain name in order to engage in phishing or another similar fraudulent scheme.

Complainant contends that Respondent's non-use of the disputed domain name combined with (1) Complainant's rights in the MUSC Marks for more than fifty-five years, (2) the distinctiveness and reputation of the MUSC Marks and (3) Respondent's failure to provide any evidence of actual or contemplated good-faith use, supports a finding of bad faith use. Complainant further contends that the fact the disputed domain name does not resolve to an active website and that Respondent used a privacy service to conceal its identity and used false contact details further constitutes evidence of bad faith registration of the disputed domain name.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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 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.

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 MUSC HEALTH 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, the added term "medical," 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

In the present case, the Panel notes that the Respondent was on notice of Complainant's rights in the MUSC Marks at the time of registration, as evidenced by the combination of the MUSC Marks and a descriptive term related to Complainant's business, and also part of Complainant's name, in the disputed domain name. Respondent's use of a privacy service and the use of false information when registering the disputed domain name also evidences bad faith (Complainant has provided evidence that the address provided by the Registrar does not have any relationship with Respondent). Finally, the passive holding doctrine is applicable here as further noted herein.

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.

Panels have found that the non-use of a domain name (including a parking 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 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 disputed domain name was registered and is being used in bad faith, and that 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 <muschealthmedical.org> be transferred to Complainant.

/Timothy D. Casey/

Timothy D. Casey

Sole Panelist

Date: August 18, 2025