

ADMINISTRATIVE PANEL DECISION

Endo Operations Limited, PH Health Limited v. Hanayo Erza
Case No. D2025-2803

1. The Parties

The Complainants are Endo Operations Limited and PH Health Limited, Ireland, represented by Cozen O'Connor, United States of America ("United States").¹

The Respondent is Hanayo Erza, Canada.

2. The Domain Name and Registrar

The disputed domain name <par.health> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 16, 2025. On July 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 17, 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 (Unknown Registrant) and contact information in the Complaint. The Center sent an email communication to the Complainants on July 21, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on July 21, 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 the Respondent of the Complaint, and the proceedings commenced on July 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 14, 2025. The Respondent did not submit any formal response. The Respondent sent an email communication to the Center on August 13, 2025.

¹The Complainants Endo Operations Limited and PH Health Limited will hereinafter be referred as "the Complainant", unless reference is made to any of them separately.

The Center appointed Reyes Campello Estebaranz as the sole panelist in this matter on August 22, 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 operates in the pharmaceutical industry, offering a comprehensive range of generic pharmaceutical products and services. Since 1977, the Complainant has been active in the United States under the brand PAR and various variations of this brand, including PAR STERILE PRODUCTS, PAR FORMULATIONS, PAR PHARMACEUTICAL, and PAR PATIENT ASSISTANCE RESOURCE.

The Complainant holds various registrations for its brands, including United States Trademark Registration No. 4687174, PAR, registered on February 17, 2015, in classes 5, 40 and 42.

The disputed domain name was registered on September 24, 2021, and it resolves to a landing page hosted by GoDaddy, which displays the disputed domain name and a "Coming Soon" message. This page also includes a copyright note that indicates, "Copyright ©2000 PAR health - All Rights Reserved."

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 incorporates its PAR mark and the generic Top-Level-Domain ("gTLD") ".health", which refers to its field of activity. The disputed domain name is identical to or confusingly similar to its brand, and the gTLD increases the risk of confusion or association.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not commonly known as "PAR," and is not affiliated with the Complainant, nor does it have any authorization to use the PAR mark. The website at the disputed domain name lacks content, and there is no evidence to suggest that the Respondent registered the domain name to pursue legitimate interests or to offer legitimate goods or services in good faith.

The Complainant finally contends that the circumstances of this case indicate opportunistic bad faith in the registration and use of the disputed domain name. The reputation and long, continuous use of the PAR mark, its identical incorporation into the disputed domain name, and the use of a gTLD related to the field in which the Complainant operates suggest that the Respondent had the Complainant in mind when registering the disputed domain name. The Respondent registered the disputed domain name to profit from the goodwill associated with the PAR mark and other PAR-related brands. An additional factor indicating bad faith is the concealment of the Respondent's identity.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. The Respondent sent an informal communication to the Center on August 13, 2025, stating: "Please be advised that recent correspondence has been received as of today's date from GoDaddy case 729674. Please advise as to the status of your request."

6. Discussion and Findings

The Complainant has made the relevant assertions as required by the Policy and the dispute is properly within the scope of the Policy. The Panel has authority to decide the dispute examining the three elements in paragraph 4(a) of the Policy, taking into consideration all of the relevant evidence, annexed materials and allegations, and performing some limited independent research under the general powers of the Panel articulated, inter alia, in paragraph 10 of the Rules.

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, namely the PAR mark and other various trademarks that include the term "PAR". [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the PAR 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.

The relevant Top Level Domain ("TLD") in a domain name is considered a standard registration requirement and is therefore ignored in the first element of the confusing similarity test. This approach applies regardless of the specific TLD, although the general meaning of a TLD may be relevant when assessing the second and third elements of the Policy. Therefore, the Panel will consider the meaning of the gTLD ".health" when analyzing the following elements. [WIPO Overview 3.0](#), sections 1.11.1 and 1.11.2.

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 the Respondent's name provided by the Registrar verification does not resemble the terms "par" or "par health," and there is no evidence on record indicating the Respondent is commonly known by any of these terms. Additionally, the Panel has confirmed through a search in the WIPO's Global Brand Database² that the Respondent does not hold any trademark registrations for these terms.

The Panel further notes that the website linked to the disputed domain name is a "Coming Soon" page with no content that could suggest that the Respondent is preparing to use the disputed domain name for any genuine offering of goods or services, or any other legitimate purpose, although the disputed domain name was registered a few years ago (in 2021). This page also displays a copyright note that predates the registration of the disputed domain name and includes the PAR mark ("PAR health"), which contributes to confusion or an affiliation with the Complainant and its trademark.

The Panel further finds that the nature of the disputed domain name, which is identical to the PAR mark, poses a high risk of implied affiliation. Furthermore, the use of a gTLD (".health") that directly points to the Complainant's industry increases the inherent risk of confusion and/or affiliation, making it difficult to see any legitimate use of the disputed domain name.

Accordingly, 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 PAR mark is exactly reproduced in the disputed domain name, and the common meaning of the gTLD ".health" relates to the same industry in which the Complainant has operated for many years before the registration of the disputed domain name. These facts, along with the lack of rights or legitimate interests from the Respondent, who has not rebutted the Complainant's allegations of bad faith, indicate targeting of the Complainant and its trademark, and suggest a bad faith registration of the disputed domain name.

The Panel also wishes to emphasize the importance of recognizing that the pharmaceutical industry, particularly generic drugs, is frequently targeted by fraud, trademark infringement, and other crimes that endanger public health. The disputed domain name is identical to the PAR mark, creating an implied association with the Complainant and this trademark, which could be exploited for impersonation or other illegal activities. In this respect, panels have found that using a domain name for unlawful or illegitimate purposes, such as selling counterfeit goods, illegal pharmaceuticals, engaging in impersonation or passing off, or other types of fraud, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Regarding the use of the disputed domain name, panels have determined that the lack of use, including having a blank or "coming soon" page, does not prevent a finding of bad faith under the doctrine of passive holding, as outlined in [WIPO Overview 3.0](#), section 3.3. After reviewing the available record, the Panel notes the long-standing use, distinctiveness, or at least notoriety of the Complainant's trademark within its industry, as well as the composition of the disputed domain name, which is identical to this mark and uses a gTLD referencing the same industry. The Panel concludes that, in this case, passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

² Noting the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, panels may undertake limited factual research into matters of public record if they would consider such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8

Accordingly, having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy. 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 <par.health> be transferred to the Complainant.

/Reyes Campello Estebaranz/

Reyes Campello Estebaranz

Sole Panelist

Date: September 3, 2025