

ADMINISTRATIVE PANEL DECISION

BioNTech SE v. yin bu you
Case No. D2025-2892

1. The Parties

The Complainant is BioNTech SE, Germany, represented by MSA IP – Milojevic Sekulic & Associates, Serbia.

The Respondent is yin bu you, China.

2. The Domain Name and Registrar

The disputed domain name <comirnatyeducation.net> is registered with Gname 258 inc (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on July 22, 2025. On July 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 23, 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 (Not Disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 25, 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 amended Complaint in English on July 29, 2025.

On July 25, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On July 29, 2025, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on July 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 24, 2025.

The Center appointed Sok Ling MOI as the sole panelist in this matter on September 2, 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 was founded in 2008 and is a next generation biotechnology company pioneering the development of novel therapies for cancer and other serious diseases. It develops and manufactures active immunotherapies for patient-specific approaches to the treatment of diseases, which include pharmaceutical candidates based on messenger RNA (mRNA) for use, inter alia, as individualized cancer immunotherapies and as vaccines against infectious diseases.

In 2020, in response to the global health crisis, the Complainant developed a COVID-19 vaccine sold under the brand name "Comirnaty", in cooperation with United States of America ("US") pharmaceutical company Pfizer Inc.. As of March 22, 2023, more than 430 million doses of "Comirnaty" vaccine have been administered in the US alone. On a global scale, more than one billion doses of the "Comirnaty" vaccine have been administered till date.

The Complainant owns trademark registrations for the COMIRNATY mark in various jurisdictions worldwide, including the following:

- International Trademark Registration No. 1544862 for COMIRNATY registered on June 23, 2020 and covering goods in class 5;
- European Union Trademark Registration No. 018247442 for COMIRNATY registered on October 7, 2020 and covering goods in class 5;
- US Trademark Registration No. 6312239 for COMIRNATY registered on April 6, 2021 and covering goods in class 5;
- German Trademark Registration No. 302020107258 for COMIRNATY registered on June 11, 2020 and covering goods in class 5; and
- United Kingdom Trademark Registration No. UK00918247442 for COMIRNATY registered on October 7, 2020 and covering goods in class 5.

The Complainant and Pfizer Inc. registered a number of domain names, many of which incorporate the Complainant's COMIRNATY trademark, including the following:

- <comirnaty.com> registered on May 28, 2020;
- <comirnaty.eu> registered on August 19, 2020;
- <comirnaty.co.uk> registered on October 8, 2020;
- <comirnatyglobal.com> registered on November 16, 2020;
- <comirnaty.org> registered on July 31, 2020;
- <comirnaty.info> registered on July 31, 2020;
- <comirnaty.net> registered on May 28, 2020;
- <comirnatyeducation.com> registered on November 25, 2020; and
- <comirnatyeducation.cn> registered on December 15, 2020.

The disputed domain name <comirnatyeducation.net> was registered on March 27, 2025. According to the evidence submitted by the Complainant, the disputed domain name was not linked to an actual website but was redirected to GoDaddy marketplace where it was offered for sale for the price of USD 499.

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 trademark, as it incorporates COMIRNATY in its entirety;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name has been registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issue - Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the facts that (a) the disputed domain name comprises Latin characters rather than Chinese characters, and (b) the Complainant is an international company located in Germany using English as an operational language, and to proceed in Chinese, the Complainant would have to retain specialized translation services at a cost that is likely to be higher than the overall cost for the present proceedings, thereby imposing a significant burden on the Complainant.

The Respondent did not comment on the Complainant's request for the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

In this case, the Panel notes that the disputed domain name comprises the English word "education". The Panel further notes that the domain name trading platform to which the disputed domain name redirects contains English contents. Furthermore, the Respondent has been informed by the Center that it would accept a Response in either English or Chinese, but did not file a formal Response. As such, the Panel finds that no foreseeable procedural benefit may be served by requiring the Complaint to be translated into Chinese and for Chinese to be the language of the proceeding at this stage.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Substantive Issue - Findings

Paragraph 4(a) of the Policy directs that a complainant must prove each of the following three elements to obtain an order for the disputed domain name to be transferred:

- (i) the disputed domain name registered by the respondent is identical or confusingly similar to a trade mark 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 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 disputed domain name comprises the mark COMIRNATY in combination with the word "education" and the generic Top-Level Domain ("gTLD") ".net".

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 may bear on assessment of the second and third elements, the Panel finds the addition of the term "education" here 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 Top-Level Domain ("TLD") is viewed as a standard registration requirement and is generally disregarded under the first element confusing similarity test.

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 Complainant has confirmed that the Respondent is not in any way affiliated with the Complainant or otherwise authorized or licensed to use the COMIRNATY trademark or to seek registration of any domain name incorporating the COMIRNATY trademark. The Respondent appears to be an individual by the name of "yin bu you". There is no evidence suggesting that the Respondent is commonly known by the name "COMIRNATY" or has any rights in the term "Comirnaty".

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.

The Panel accepts that as a result of the extensive media coverage of the Complainant and its vaccine during the COVID-19 health crisis, the Complainant's COMIRNATY trademark has gained well-known status around the world within a short period of time. The Panel further accepts that the COMIRNATY trademark is distinctive, being an invented expression which, according to the Complainant, is a creative combination of the words "community", "immunity", "COVID-19" and "mRNA". In this day and age of the Internet and advancement in information technology, the reputation of brands and trademarks transcends national borders. A simple search via Google or any other search engine using the keyword "Comirnaty" or "Comirnaty Education" would have disclosed the existence of the Complainant, its activities and its trademarks. Furthermore, the disputed domain name is almost identical to the Complainant's domain names <comirnatyeducation.com> and <comirnatyeducation.cn>, which indicates the Respondent's intention to mimic the Complainant's domain names. Taking these into account, the Panel accepts that the Respondent's choice of the disputed domain name cannot have been accidental and must have been influenced by the fame of the Complainant and its trademarks.

Furthermore, in the present case, the Panel notes that the disputed domain name does not resolve to any active website in connection with a bona fide offering of goods or services, but is instead offered on a domain name trading platform for sale for USD 499, which may be in excess of the normal costs for registering and maintaining a domain name. The Panel accepts that the Respondent is highly likely to have registered the disputed domain name for the purpose of selling or otherwise transferring the same to the Complainant or one of its competitors for valuable consideration. The circumstances referred to in paragraph 4(b)(i) of the Policy are therefore applicable.

Furthermore, by registering the disputed domain name which incorporates the Complainant's trademark in its entirety, the Respondent is preventing the Complainant from reflecting its trademarks in the corresponding domain name. According to the evidence submitted by the Complainant, the Respondent's email address was used for registration of more than 9,812 domain names including at least 1 domain name incorporating a famous mark (namely, <lenovobb.cn>). The Panel further notes that the Respondent has been the respondent in a UDRP case (namely, *American Airlines, Inc. v. 尹不忧 (Bu You Yin)*, WIPO Case No. [D2024-2776](#)) which resulted in a transfer of the domain name to the complainant involved in that case. These suggest that the Respondent has engaged in a pattern of abusive domain name registration against trademark right holders. The circumstances referred to in paragraph 4(b)(ii) of the Policy are therefore applicable.

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 <comirnatyeducation.net> be transferred to the Complainant.

/Sok Ling MOI/

Sok Ling MOI

Sole Panelist

Date: September 16, 2025