

ADMINISTRATIVE PANEL DECISION

Amgen, Inc. v. Online Hubs
Case No. D2025-2906

1. The Parties

The Complainant is Amgen, Inc., United States of America ("US"), represented by Snell & Wilmer, LLP, US.

The Respondent is Online Hubs, India.

2. The Domain Name and Registrar

The disputed domain name <amgen.space> 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 July 21, 2025. On July 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 24, 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 (Domain Admin, Privacy Protect, LLC) 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 on July 28, 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 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 22, 2025.

The Center appointed Rebecca Slater as the sole panelist in this matter on September 3, 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 US multinational biopharmaceutical company. It focuses on research, innovation, and treatment in the areas of cardiovascular disease, oncology, bone health, neuroscience, nephrology, and inflammation. The Complainant operates in approximately 100 countries and employs over 20,000 people worldwide. In 2024, its worldwide revenue exceeded USD 33 billion.

The Complainant holds several US trade mark registrations for AMGEN word mark, including Registration No. 1,621,967 (registered November 13, 1990), Registration No. 3,180,419 (registered December 5, 2006), Registration No. 3,226,919 (registered April 10, 2007) and Registration No. 3,921,146 (registered February 15, 2011) (the "Trade Mark").

The Complainant is also the registrant of the <amgen.com> domain name. It has continuously used this domain name to offer and promote its goods and services since 1990.

The Respondent is apparently located in India. The Respondent did not submit a formal response, and consequently little additional information is known about the Respondent.

The disputed domain name was registered on January 24, 2025. The disputed domain name previously resolved to a website which featured the Trade Mark and purported to sell clothing. Currently, the disputed domain name resolves to an error 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 identical to the Trade Mark. The disputed domain name consists entirely of the Trade Mark. The generic Top-Level Domain ("gTLD") ".space" can be disregarded.
- The Respondent has no rights or legitimate interests in the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name. The Respondent has chosen the disputed domain name to create a false impression of association with the Complainant. The disputed domain name previously resolved to a website featuring the Trade Mark and purporting to sell clothing, causing a likelihood of confusion with the Trade Mark. This is not a bona fide use of the disputed domain name.
- The Respondent registered and has used the disputed domain name in bad faith. It is implausible that the Respondent was unaware of the Trade Mark and the Complainant when the Respondent registered the disputed domain name, given the fame and reputation of the Complainant. The Respondent has used the disputed domain name intentionally to attempt to attract Internet users to its website by creating a likelihood of confusion with the Trade Mark for the Respondent's commercial gain or to disrupt the Complainant's business. The use of a privacy service is further proof of registration and use in bad faith.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
- 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.

The onus of proving these elements is on the Complainant.

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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the Trade Mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the Trade 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.

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 the composition of the disputed domain name carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1. The Complainant has not authorized the Respondent to use the Trade Mark and there is no evidence that the Respondent has ever been commonly known by 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.

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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

The Panel finds it unlikely that the disputed domain name was registered without knowledge of the Complainant and its Trade Mark, given the reputation of the Complainant and the composition of the disputed domain name. The Respondent's goal in registering and using the disputed domain name appears, on the balance of probabilities, to be to attract Internet users by taking unfair advantage of the Complainant's Trade Mark for potential gain. This finding is reinforced by the Respondent's alleged historical use of the disputed domain name to host a website offering to sell clothing. This amounts to "opportunistic bad faith" under the Policy.

For completeness, in relation to the error message currently displayed for the disputed domain name, 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: (a) the reputation of the Trade Mark and the composition of the disputed domain name, and (b) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and finds that in the circumstances the current 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 <amgen.space> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: September 15, 2025