

ADMINISTRATIVE PANEL DECISION

BioNTech SE v. Joseph, [dRIME] [OMNX Inc.]
Case No. D2025-3388

1. The Parties

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

The Respondent is Joseph, [dRIME] [OMNX Inc.], United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <biontech.one> is registered with Porkbun LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 22, 2025. On August 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 22, 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 (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 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 August 31, 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 September 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 25, 2025.

The Center appointed Gareth Dickson as the sole panelist in this matter on October 1, 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 German biotechnology company founded in 2008 that develops and manufactures pharmaceutical products, including messenger RNA (mRNA)-based vaccines and therapeutics.

The Complainant is the registered proprietor of a number of registered trade mark rights for BIONTECH (the “Mark”), including:

- European Union Trade Mark No. 008964447, registered on December 22, 2010;
- European Union Trade Mark No. 016241465, registered on November 9, 2017; and
- United States Trade Mark No. 5712036, registered on April 2, 2019.

Substantial publicity and media coverage was afforded to the Complainant as a result of its development (in cooperation with Pfizer) and global deployment of a COVID-19 vaccine.

The Complainant claims it is also the registrant of multiple domain names that incorporate the Mark, including <biontech.com> (registered May 29, 1998), <biontech.de> (registered October 10, 2007), <biontech.info> (registered February 27, 2009), <biontech.net> (registered February 27, 2009), <biontech.us> (registered May 9, 2019), <biontech-covid19.com> (registered June 5, 2020) and <biontechglobal.com> (registered April 20, 2020).

The disputed domain name was registered on July 15, 2025 and does not resolve to an active website.

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 Mark because it reproduces the Mark in its entirety, with the addition of the generic Top-Level Domain “.one”; that the Respondent has no rights or legitimate interests in respect of the disputed domain name because the Respondent is not authorised to use the Mark, is not commonly known by the Mark, has not used or made demonstrable preparations to use the disputed domain name in connection with a bona fide offering of goods or services, and the disputed domain name currently resolves to an inactive page; and that the disputed domain name was registered and is being used in bad faith because the Mark was well known and registered before the registration of the disputed domain name, the Respondent employed a privacy/proxy service and used contact details that, the Complainant says, appear false or point to virtual office services, the email address disclosed by the Respondent connects to a website offering numerous trademark-targeting domain names for sale, and the Respondent failed to explain the registration or to respond to pre-complaint communications.

B. Respondent

The Respondent did not reply to the 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 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. [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 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.

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 recognised 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 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 has failed to offer any explanation as to how the Mark came to be chosen for the disputed domain name.

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 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 reputation of the Mark, the composition of the disputed domain name, and the failure of the Respondent to submit a response, 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 <biontech.one> be transferred to the Complainant.

/Gareth Dickson/

Gareth Dickson

Sole Panelist

Date: October 15, 2025