

ADMINISTRATIVE PANEL DECISION

Emory University, Emory Healthcare, Inc. v. Agung Dwi Cahyo
Case No. D2025-3625

1. The Parties

The Complainants are Emory University and Emory Healthcare, Inc., United States of America ("United States"), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is Agung Dwi Cahyo, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <emorylagrangebariatrics.com> 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 September 8, 2025. On September 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 9, 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 (Registration Private / Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainants on September 10, 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 amendment to the Complaint on September 11, 2025.

The Center verified that the Complaint together with the amendment to the 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 proceeding commenced on September 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 8, 2025.

The Center appointed Sebastian M.W. Hughes as the sole panelist in this matter on October 13, 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

A. Complainants

The First Complainant is a leading research university established in 1836 in the United States, recognized for its liberal arts colleges, graduate and professional schools, and academic health care systems. The First Complainant controls its related entity, the Second Complainant, which provides various health care services, including operating 11 hospitals and more than 580 provider locations.

Both Complainants offer their wide variety of goods and services under the trade mark EMORY (the "Trade Mark"), and promote their goods and services from a set of websites incorporating the Trade Mark.

The First Complainant is the owner of United States registration No. 2382245 for the Trade Mark, with a registration date of September 5, 2000.

B. Respondent

The Respondent is an individual located in Indonesia.

C. The Disputed Domain Name

The disputed domain name was registered by the First Complainant on January 24, 2013 and used in respect of the Complainants' website promoting their medical services (the "Complainants' Website") until its expiry on January 24, 2025.

The disputed domain name was subsequently registered by the Respondent on March 8, 2025, after the First Complainant failed to renew its registration for the disputed domain name.

D. Use of the Disputed Domain Name

The disputed domain name has been used in respect of a website which replicates the Complainants' Website (the "Respondent's Website").

5. Parties' Contentions

A. Complainants

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainants contend that, in light of the fact:

(1) the Respondent registered the disputed domain name shortly after the lapse of the Complainants' prior registration; and

(2) the Respondent has scraped the Complainants' Website and relaunched it as the Respondent's Website,

the Respondent has no rights or legitimate interests in the disputed domain name; and has targeted the Complainants and their Trade Mark in bad faith in registering and using the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainants' contentions.

6. Discussion and Findings

Consolidation: Multiple Complainants

Paragraph 10(e) of the Rules provides as follows:

"A Panel shall decide a request by a Party to consolidate multiple domain name disputes in accordance with the Policy and these Rules."

Past UDRP decisions suggest that a complaint may be brought by multiple complainants where (i) the complainants have a specific common grievance against the respondent, or the respondent has engaged in common conduct that has affected the complainants in a similar fashion; and (ii) it would be equitable and procedurally efficient to permit the consolidation (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.1).

The Complainants have requested consolidation, due to their common legal and business interest in the Trade Mark; and their specific common grievance against the Respondent.

The Respondent has not made any submissions on this issue.

The Panel finds that the Complainants, as related entities sharing the same principal place of business, have common grievances against the Respondent, and the Respondent has engaged in common conduct that has affected the Complainants' rights in a similar fashion.

The Panel also finds that it would be procedurally efficient and equitable for the Complainants to be consolidated.

In all the circumstances, the Panel therefore determines, under paragraph 10(e) of the Rules, that there be consolidation of the Complainants in this proceeding.¹

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 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 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.

¹For ease of reference, the Panel will henceforth refer to the Complainants in the singular in this Decision.

Although the addition of other terms, here “la grange bariatrics”, may bear on assessment of the second and third elements, the Panel finds the addition of such a 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 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 Respondent registered the disputed domain name on March 8, 2025, not long after the Complainant’s registration for the disputed domain name lapsed on January 24, 2025. Further, the Respondent has scraped the Complainant’s Website and relaunched it as the Respondent’s Website. Such conduct does not give rise to any rights or legitimate interests in the disputed domain name for the purposes of the Policy.

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.

More specifically, the timing and circumstances of the registration, following a complainant’s failure to renew its registration, is an important circumstance in assessing whether the registration is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The date on which the current registrant acquired the domain name is the date a panel will consider in assessing bad faith. [WIPO Overview 3.0](#), section 3.9.

In light of the timing of the Respondent's registration of the disputed domain name, and its subsequent use in respect of the Respondent's Website - which replicates the Complainant's Website previously used for many years in respect of the disputed domain name - the Panel finds that the disputed domain name has been registered and used in bad faith.

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 <emorylagrangebariatrics.com> be transferred to the Complainant.

/Sebastian M.W. Hughes/

Sebastian M.W. Hughes

Sole Panelist

Date: October 27, 2025