ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Pfizer Inc. v. Tolstenko Andrey Ivanovich
Case No. D2025-3691

1. The Parties

The Complainant is Pfizer Inc., United States of America ("United States"), represented by Arnold & Porter Kaye Scholer LLP, United States.

The Respondent is Tolstenko Andrey Ivanovich, Russian Federation.

2. The Domain Name and Registrar

The disputed domain name <pfizerpcoa.com> is registered with RU-CENTER-MSK (Regional Network Information Center, JSC dba RU-CENTER) (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on September 11, 2025. On September 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 12, 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 (Personal data, cannot be publicly disclosed according to applicable laws) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 15, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint.

On September 15, 2025 the Center informed the parties in Russian and English, that the language of the registration agreement for the disputed domain name was Russian. On September 16, 2025, the Complainant filed an amended Complaint confirming its request that English be the language of the proceedings. 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 Russian and English of the Complaint, and the proceedings commenced on September 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 10, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on October 14, 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 United States multinational biopharmaceutical company, established in 1849. It has global operations in more than 125 countries. The Complainant develops and produces medication and vaccines for immunology, oncology, cardiology, endocrinology, and neurology.

The Complainant is the owner of various trademark registrations for PFIZER (the "PFIZER Trademark"), including the following representative registrations:

− the United States trademark  with registration No. 626088, registered on May 1, 1956 for goods in International Class 5, with claimed first use in commerce in 1951;

− the United States trademark PFIZER with registration No. 2951026, registered on May 17, 2005, for goods in International Class 5, with claimed first use in commerce in 1932; and

- the trademark  with registration No. 18365, registered in the Russian Federation on March 23, 1959 for goods in International Class 5.

The Complainant operates its official website at the domain name <pfizer.com>, which it has used since 1996.

The disputed domain name was registered on September 26, 2024. It is currently inactive and displays the following text in Russian: "Срок регистрации домена pfizerpcoa.com истек" (In English, "The registration of the domain name pfizerpcoa.com has expired"). At the time of filing of the Complaint, the disputed domain name redirected to an online casino at "www.gsdmpresents.com" with the title "Vavada online casino 2024", which offered various online games such as "Book of 99", "Wild Bounty Showdown", "Dinopolis", "The Dog House", "Space Wars", etc.

5. Parties' Contentions

A. Complainant

The Complainant states that the disputed domain name is confusingly similar to its PFIZER Trademark, because it wholly incorporates the trademark and only adds the sequence "pcoa", which is the acronym for the Complainant's "Patient-Centered Outcomes Assessment" program. The Complainant notes that the disputed domain name is also confusingly similar to the Complainant's own domain name <pfizer.com>.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is not affiliated to the Complainant and is not commonly known by the disputed domain name, and the Complainant has not authorized it to register or use the disputed domain name or the PFIZER Trademark. The Complainant points out that its adoption of the PFIZER Trademark in the United States and elsewhere precedes by 175 years the Respondent's registration of the disputed domain name. The Complainant submits that, given the widespread publicity and fame of the PFIZER Trademark throughout the world, and given the Complainant's prior use of the disputed domain name, the Respondent

must have had knowledge of the PFIZER Trademark prior to the registration of the disputed domain name. The Complainant states that the Respondent is not using the disputed domain names in connection with a bona fide offering of goods or services, but has intentionally registered the disputed domain name for opportunistic cybersquatting and has used it to redirect to an online casino.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. According to it, the Respondent registered the disputed domain name in order to take advantage of the Complainant's reputation and trademark. The Complainant maintains that the Respondent's registration of a domain name previously used by the Complainant itself, for the commercial purposes of an online gambling website, is evidence of opportunistic bad faith. The Complainant points out that the registration and use of the disputed domain name create an initial interest confusion, which attracts Internet users to the website at the disputed domain name based on the attractiveness of the PFIZER trademark.

B. Respondent

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

6. Discussion and Findings

6.1. Procedural Issue – Expiry of the Disputed Domain Name

On September 12, 2025, the Registrar confirmed that the disputed domain name was set to expire on September 26, 2025. On September 23, 2025, the Center reminded the Parties about the imminent expiration of the disputed domain name and invited them to contact the Registrar and take steps for the renewal of its registration. On September 26, 2025, the Registrar informed the Center, copying the Parties, that they had decided not to renew the registration of the disputed domain name. Neither of the Parties responded to this message of the Registrar. On October 3, 2025, the Center reminded the Parties of the Registrar's communication of September 23, 2025, and informed them that the consequences of not carrying out of the necessary steps to ensure the renewal of the disputed domain name may include the deemed withdrawal of the non-renewed expired or deleted domain name from the Complaint, or the dismissal (at the sole discretion of a Panel to be appointed) of the Complaint in relation to this domain name. Neither of the Parties responded to this communication by the Center. On October 22, 2025, the Registrar confirmed to the Center that "Domain pfizerpcoa.com is still locked for registrant and registrar change. Also it is blocked from deletion. Decision still could be implemented once it is reached."

Considering the above, the Panel finds that, in the circumstances of this case, it is appropriate and in the interest of both Parties that the dispute be resolved with a decision on the merits.

6.2. Procedural Issue - Language of the Proceedings

The language of the Registration Agreement for the disputed domain name is Russian. 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 proceedings shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English for several reasons, including that the disputed domain name is in English and is in Latin characters, and that the associated website uses some English words, including the prominent wording "ONLINE CASINO 2024" and the names of various casino games on the website, such as "Book of 99," "Wild Bounty Showdown," "The Dog House," and "Space Wars". The Complainant adds that if it had to translate the Complaint, that would cause undue delay.

The Center sent all its communications to the Respondent in both English and Russian, and has invited the Respondent to express its views on the language of the proceedings. The Respondent did not submit a Response or any objections to the Complainants' request that the proceedings be conducted in English.

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).

Having considered all the matters above, the Panel considers that the Respondent would not be disadvantaged if the language of the proceedings is English, and that using the English language in these proceedings would be fair and efficient. Therefore, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

6.3. Substantive Issues

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 the PFIZER Trademark for the purposes of the Policy. WIPO Overview 3.0, section 1.2.1.

The Panel finds the PFIZER Trademark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the PFIZER Trademark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

Although the addition of other terms (here, "pcoa") may bear on assessment of the second and third elements, the Panel finds the addition of such 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 disputed domain name is confusingly similar to the PFIZER Trademark and the Complainant previously used it for its "Patient-Centered Outcomes Assessment" program, abbreviated as "pcoa" in the disputed domain name. At the time of filing of the Complaint, the disputed domain name redirected to an online

casino website. The Respondent did not submit a Response and did not provide any plausible explanation why it chose to register such specific domain name and to associate it with an online casino.

In view of the above, and in the absence of any evidence pointing to a different conclusion, the Panel accepts that the Respondent has targeted the Complainant with the registration and use of the disputed domain name in an attempt to attract and redirect traffic to an online casino website for commercial gain. Such conduct cannot give rise to rights or legitimate interests of the Respondent in the disputed domain name.

The Panel therefore finds that 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 PFIZER Trademark is distinctive and has been registered and extensively used for many years around the globe, including in the Russian Federation, where the Respondent is reportedly located. The disputed domain name was previously used by the Complainant for one of its programs, which explains its very specific composition. The Respondent registered it recently and redirected to an online casino. The Respondent has not provided any explanation why it chose to register such a specific domain name and to use it in relation to online casino services.

In the absence of any allegation or evidence pointing to a different conclusion, the Panel finds that it is more likely than not that the Respondent registered the disputed domain name with knowledge of the Complainant and targeting the PFIZER Trademark, and that by registering and using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the PFIZER Trademark as to the affiliation of its website or as to its endorsement by the Complainant. This supports a finding of registration and use of the disputed domain name in bad faith under paragraph 4(b)(iv) of the Policy.

The Panel therefore 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 <pfizerpcoa.com> be transferred to the Complainant.

/Assen Alexiev/
Assen Alexiev
Sole Panelist
Date: October 27, 2025