ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Sanofi v. PHAM VAN THAI, Domain Service
Case No. D2025-4075

1. The Parties

The Complainant is Sanofi, France, represented by Selarl Marchais & Associés, France.

The Respondent is PHAM VAN THAI, Domain Service, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <sanofivietnam.com> is registered with Dominet (HK) Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 6, 2025 and October 7, 2025. On October 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 9, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name and contact information in the Complaint. The Center sent an email communication to the Complainant on October 9, 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 amendment to the Complaint on October 13, 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 proceedings commenced on October 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 7, 2025.

The Center appointed Indrek Eelmets as the sole panelist in this matter on November 12, 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 French multinational pharmaceutical company headquartered in Paris (France), established in more than 100 countries and employing 100,000 people, with consolidated net sales of EUR 43 billion in 2022, which engages in research and development, manufacturing and marketing of pharmaceutical products for sale, principally in the prescription market, but the firm also develops over-the-counter medication.

The Complainant is the owner of the trademark SANOFI, which has been registered in numerous jurisdictions around the world, including the European Union, the United States of America and Viet Nam. Relevant registrations include:

- SANOFI (figurative) – European Union Trademark Registration No. 000596023, filed on July 15, 1997, and registered on February 1, 1999, in classes 3 and 5 notably covering pharmaceutical products;

- SANOFI – International Trademark Registration No. 674936 registered on June 11, 1997, in classes 3 and 5 notably covering pharmaceutical products, with protection granted, among other countries, in Viet Nam; and

- SANOFI – United States of America Trademark Registration No. 85396658, filed on August 12, 2011, and registered on July 24, 2012, in classes 3, 5, 9, 10, 16, 35, 41, 42 and 44 notably covering pharmaceutical products.

The Complainant also owns several domain names that incorporate the trademark, such as <sanofi.com>, registered on October 13, 1995.

The disputed domain name was registered on October 2, 2025. At the time this Complaint was submitted, the disputed domain name did 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.

Firstly, the Complainant contends that the disputed domain name is confusingly similar to its SANOFI trademark. The disputed domain name comprises an exact reproduction of the Complainant's trademarks combined with the geographic term "vietnam", which merely suggests to the Internet users that the disputed domain name leads to a website on the Complainant's activities in Viet Nam. Where a domain name wholly incorporates a complainant's distinctive trademark in its entirety, it is confusingly similar to that mark despite the addition of a word. In this case, the additional element, due to its meaning, even increases the likelihood of confusion.

Regarding the second element, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Complainant has not granted the Respondent any license or authorization to use the trademark. The Respondent is not making a legitimate noncommercial or fair use of the disputed domain name nor is he using the disputed domain name in connection with a bona fide offering of goods or services.

Finally, the Complainant argues that the Respondent registered and is using the disputed domain name in bad faith. Given the famous and distinctive nature of the SANOFI mark, the Respondent is likely to have had, at least, constructive, if not actual notice, as to the existence of the Complainant's marks at the time she

registered the disputed domain name. This suggests that the Respondent acted with opportunistic bad faith in registering the domain name in order to make an illegitimate use of it.

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 confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

Although the addition of other terms here, "vietnam", 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 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.

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 distinctiveness or reputation of the Complainant's trademarks, the composition of the disputed domain name and the Respondent's failure 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 <sanofivietnam.com> be cancelled.

/Indrek Eelmets/
Indrek Eelmets
Sole Panelist
Date: November 26, 2025