

ADMINISTRATIVE PANEL DECISION

President and Fellows of Harvard College v. changdong chen
Case No. D2025-4452

1. The Parties

The Complainant is President and Fellows of Harvard College, United States of America (“United States”), represented by Sunstein LLP, United States.

The Respondent is changdong chen, China.

2. The Domain Name and Registrar

The disputed domain name <harvardgene.com> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 28, 2025. On October 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 29, 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 (Redacted for Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 3, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Respondent sent an email communication to the Center on November 4, 2025. The Complainant filed an amendment to the Complaint on November 5, 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 November 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 1, 2025. The Respondent sent a second email communication to the Center on November 12, 2025. However, the Respondent did not file any formal response. Accordingly, the Center notified the commencement of the panel appointment process on December 4, 2025.

The Center appointed Andrea Mondini as the sole panelist in this matter on December 9, 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 an educational institution based in the United States known as Harvard University, asserting an establishment date of 1636. The Complainant has an enrollment of more than 20,000 students and comprises several schools, including, without limitation, Harvard Medical School, Harvard School of Dental Medicine, and Harvard T. H. Chan School of Public Health.

The Complainant owns numerous trademark registrations, including:

TRADEMARK	JURISDICTION	REGISTRATION NUMBER	REGISTRATION DATE	INTERNATIONAL CLASS
HARVARD	United States	1,608,533	July 31, 1990	41
HARVARD UNIVERSITY	United States	1,578,190	January 16, 1990	41
	United States	1,602, 960	June 19, 1990	41

The Complainant holds several domain names containing the term “Harvard”, among them <harvard.edu> which hosts its main website.

The disputed domain name was registered on December 29, 2024.

According to the evidence submitted with the Complaint, the disputed domain name resolves to a website featuring a logo similar to the HARVARD logo depicted above, advertising “high quality nutritional supplements” and purporting that “Harvard Gene Corp. is a global enterprise dedicated to the research, development, production, sales and services of high-quality nutritional supplements” that was founded in 1972 by a professor at Harvard Medical School.

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 as follows:

The trademark HARVARD is a famous mark that has been extensively used for more than 350 years to identify the Complainant and its educational services. The disputed domain name is confusingly similar to the HARVARD trademark in which the Complainant has rights, because it incorporates this trademark in its entirety, and the addition of the term “gene” is not sufficient to prevent a finding of confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not sought a license or otherwise asked the Complainant’s permission to use the

Complainant's highly distinctive and famous HARVARD marks. The Respondent promotes a false association with the Harvard University thereby increasing traffic to its website to promote its "Harva Gene" nutritional supplement products, thus intentionally treading on the goodwill of the HARVARD mark for its own commercial gain. The Respondent has no bona fide reason to use the HARVARD mark in connection with its website.

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the Complainant and its famous trademark HARVARD at the time he registered the disputed domain name.

The Respondent is using the disputed domain name in bad faith to intentionally attempt to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website and of the nutritional supplements advertised thereon. Specifically, the website posted under the disputed domain name is designed to confuse consumers into believing that Harvard Gene Corp. was founded by "a renowned American molecular biologist at Harvard Medical School" and uses a shield design logo which is highly similar to Harvard's shield design trademark registrations.

B. Respondent

The Respondent did not submit a formal response. On November 12, 2025, the Respondent sent an email to the Center literally stating:

"Hello everyone, our own company, apply for a domain name of his company name, the company is approved by the US government, the domain name is also consistent with the company name, if that place is wrong. We immediately arrange amendment."

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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 Panel finds the entirety of the mark is reproduced within the disputed domain name.

Although the addition of other terms such as here "gene" may bear on assessment of the second and third elements, the Panel finds that in the present case 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 addition of the generic Top-Level Domain (“gTLD”) “.com” in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [WIPO Overview 3.0](#), section 1.11.1.

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 for a complainant to prove that 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. In his email to the Center of November 12, 2025, the Respondent contends that the disputed domain name is consistent with its own company name, but he does not come forward with any evidence that he owns a company named Harvard Gene Corp. since 1972, nor that it would have been licensed or otherwise authorized by the Complainant to use the highly distinctive and famous HARVARD trademark.

Furthermore, the composition of the disputed domain name itself suggests a connection between the Complainant and the Respondent, which in fact does not exist. [WIPO Overview 3.0](#), section 2.5.1

Based on the available record, 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. [WIPO Overview 3.0](#), section 3.2.1.

In the view of the Panel, noting that the Complainant’s trademark predates the registration of the disputed domain name and considering that the Complainant’s trademark is famous and that the disputed domain name resolves to a website featuring the Complainant’s trademark, a similar logo, and references to the Harvard Medical School, it is inconceivable that the Respondent could have registered the disputed domain name without knowledge of the Complainant’s famous trademark. In the circumstances of this case, this is evidence of registration in bad faith.

The impression given by the Respondent’s website would cause Internet users to believe that the Respondent is somehow associated with the Complainant when, in fact, it is not. The Panel holds that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its web site, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of its web site in the sense of Policy, paragraph 4(b)(iv).

Based on the available record, the Panel finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <harvardgene.com> be transferred to the Complainant.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: December 16, 2025