

ADMINISTRATIVE PANEL DECISION

F. Hoffmann-La Roche AG v. Clement Cazautets

Case No. D2025-4676

1. The Parties

The Complainant is F. Hoffmann-La Roche AG, Switzerland, internally represented.

The Respondent is Clement CAZAUTETS, France.

2. The Domain Name and Registrar

The disputed domain name <roche-com.com> is registered with Wild West Domains, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 11, 2025. On November 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 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 (“Registration Private, DomainsbyProxy.com”) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 17, 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 November 18, 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 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 15, 2025.

The Center appointed Delia-Mihaela Belciu as the sole panelist in this matter on December 19, 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 together with its affiliated companies is one of the world's leading research-focused healthcare groups in the fields of pharmaceuticals and diagnostics, having global operations in more than 100 countries.

The Complainant is in particular the owner of the following ROCHE trademark registrations:

- the International trademark registration No. 340483 for ROCHE, registered on November 14, 1967, for goods in class 10;
- the International trademark registration No. 346223 for ROCHE, registered on June 19, 1968, for goods in classes 1, 2, 3, 5, 16, 29, 30, 31;
- the International trademark registration No. 832631 for ROCHE, registered on April 8, 2004, for goods and services in classes 1, 3, 5, 9, 10, 16, 35, 37, 38, 41, 42, 44.

In addition, the Complainant operates the domain name <roche.com> registered on April 17, 1992, in order to promote its goods and services.

The disputed domain name <roche-com.com> was registered on September 22, 2025, and resolves to an inactive webpage. According to the evidence available in the file, the disputed domain name was used in relation to an email scam and a phishing scheme pretending to be the Accounting-Department of the Complainant.

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:

(i) the disputed domain name is confusingly similar to the Complainant's ROCHE mark as it contains the ROCHE mark in its entirety, with the addition of a hyphen and of the term "com" (i.e. referring to the generic Top-Level Domain ("gTLD") ".com"), which is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's mark ROCHE. The Complainant also sustained that, the Complainant and its ROCHE mark enjoy a worldwide notoriety;

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name for a number of reasons, among which that, (1) the disputed domain name resolves to an inactive webpage, while it was used in relation to an email scam and a phishing scheme pretending to be the Accounting-Department of the Complainant, (2) the Respondent is using the disputed domain name with the purpose of capitalizing on the reputation of the Complainant's ROCHE mark, (3) the Respondent did not reply to the Complainant's cease and desist letter and hence has not availed itself of the opportunity to present any case of legitimate interest that it might have;

(iii) the disputed domain name was registered and is being used in bad faith for a number of reasons, among which that, (1) the Complainant's ROCHE mark is widely known, being registered prior to the registration of the disputed domain name, (2) the Respondent's primary motive in relation to the registration and use of the disputed domain name is to capitalize on or otherwise take advantage of the Complainant's ROCHE mark, by creating a confusion with the ROCHE mark, which enjoys together with the Complainant a reputation and goodwill.

B. Respondent

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

6. Discussion and Findings

In order for the Complainant to succeed, such must prove, according to paragraph 4(a) of the Policy, that:

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

In case all three elements above have been fulfilled, the Panel is able to grant the remedy requested by the Complainant. Thus, the Panel will deal with each of the requirements in turn.

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 that the entirety of the ROCHE mark is reproduced within the disputed domain name with the addition of a hyphen and of the term "com" (i.e., referring to the gTLD ".com"), which does not prevent a finding that the disputed domain name is confusingly similar to the Complainant's ROCHE mark. 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, in this case "com", 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.

In what concerns the second addition of the gTLD ".com" at the end of the disputed domain name, such is viewed as a standard registration requirement, and is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, the Panel finds that 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.

Thus, based on the available evidence, the Respondent does not appear to be commonly known by the name “roche”, nor to have the Complainant’s authorization to use the ROCHE mark.

Moreover, based on the available evidence, the disputed domain name resolves to an inactive webpage, while it was used to send a fraudulent email, impersonating the Complainant’s Accounting-Department, which suggests that the disputed domain name was used for phishing purposes.

Panels have held that the use of a domain name for an illegal activity, as in this case in relation to a phishing scheme, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Furthermore, the composition of the disputed domain name, incorporating the Complainant’s ROCHE mark with the addition of a hyphen and of the term “com” (i.e., referring to the gTLD “.com”), might lead to confusion for Internet users and as such, carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

In addition, based on the available evidence, the Respondent did not reply to the Complainant’s cease and desist letter directed to it via the Registrar.

All the above does not amount to a bona fide offering of goods or services, or to a legitimate noncommercial or fair use of the disputed domain name.

Based on the available record, the Panel 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.

In the present case, the Panel notes that the Complainant’s rights in the ROCHE mark predate the registration date of the disputed domain name.

In light of the above as well as of the high distinctive character of the ROCHE mark, the Panel finds that it is not conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant’s ROCHE mark, which supports a finding of bad faith registration. [WIPO Overview 3.0](#), section 3.2.2.

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.

In the present case, the Panel notes that, while the disputed domain name resolves to an inactive webpage, the disputed domain name was used to send a fraudulent email, impersonating the Complainant's Accounting Department, mentioning to a third party that new bank details are available for future payments, while at the bottom of the email, reference was made to the Complainant's real website, namely "www.roche.com", which suggests that, the disputed domain name was used for phishing purposes. Moreover, the disputed domain name incorporates in its entirety the Complainant's distinctive ROCHE mark with the addition of a hyphen and the term "com" (i.e., referring to the gTLD ".com"), leading thus to confusion and misleading Internet users into believing that any email which might be sent using the disputed domain name is sent by the Complainant.

Panels have held that the use of a domain name for an illegal activity, as in this case in relation to a phishing scheme, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy and 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 <roche-com.com> be transferred to the Complainant.

/Delia-Mihaela Belciu/

Delia-Mihaela Belciu

Sole Panelist

Date: January 2, 2026