

ADMINISTRATIVE PANEL DECISION

Clinical Ink, Inc. v. Mario Flores, MedHueLabs
Case No. D2025-4888

1. The Parties

Complainant is Clinical Ink, Inc., United States of America ("U.S."), represented by Ropes & Gray LLP, U.S.

Respondent is Mario Flores, MedHueLabs, U.S.

2. The Domain Name and Registrar

The disputed domain name <clinical.ink> (the "Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 24, 2025. On November 25, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On November 26, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name, which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on November 26, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on November 26, 2025.

The Center verified that 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 Respondent of the Complaint, and the proceedings commenced on November 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 17, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on December 18, 2025.

The Center appointed Christopher S. Gibson as the sole panelist in this matter on December 26, 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

Complainant was founded in 2011 and provides clinical research software and related goods and services, intended to improve data capture, and better ensure patient adherence with treatment regimens, including digital data capture technology that eliminates the need for manual transcriptions and source data verification, integrated sensors and wearables, and other technologies. It has used the <clinicalink.com> domain name in connection with its business since 2011.

Complainant owns the following trademark:

- CLINICAL INK, U.S. Reg. No. 4,109,125 in International Class 42, filed October 23, 2008, and registered March 6, 2012, based on use in commerce since August 9, 2011, for “designing and developing computer software in the field of clinical research studies; application service provider featuring software used to reproduce paper clinical trial source documents as secure digital data forms incorporating data entry, data validation rules, electronic signature capture and data transmission features for use in clinical research studies; application service provider, namely, hosting, managing, developing and maintaining applications, software, web sites and databases of others in the field of clinical research studies”.

Complainant states it has also acquired and owns common law rights in its CLINICAL INK mark through its use of that mark in U.S. commerce in connection with its goods and services since at least as early as 2011. Complainant claims it has acquired a reputation for driving the industry standard for data precision in clinical trials.

Complainant has an active presence on the Internet through its domain name, <clinicalink.com>. This domain name was registered on November 9, 2004, and currently remains registered to Complainant. Complainant has provided basic information about its business, goods, and services through a printout from its website at <clinicalink.com>. Every employee of Complainant uses an email address with the principal domain name (e.g., [name]@clinicalink.com).

The Domain Name was registered on July 24, 2025. It resolves to a website that purports to offer an app that provides AI-assisted medical transcription services.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

(i) Identical or confusingly similar

Complainant has provided evidence that it owns the trademark CLINICAL INK, as discussed above. Complainant contends that given the similarities between the CLINICAL INK mark, on the one hand, and the Domain Name, on the other hand, the Domain Name is confusingly similar to Complainant's CLINICAL INK mark, and is likely to cause confusion, to cause mistake, and to deceive as to the affiliation, connection, or association of Respondent with Complainant's business, its mark, and its goods and services.

(ii) Rights or legitimate interests

Complainant contends Respondent has no rights or legitimate interests in respect of the Domain Name. Respondent registered the Domain Name on July 24, 2025, and uses it to host a website that purports to offer an app that provides AI-assisted medical transcription services. There is no relationship or affiliation between Complainant and Respondent giving rise to any license, permission, or other right by which Respondent could own or use any domain names incorporating Complainant's registered CLINICAL INK mark, or variations on that mark.

Complainant contends Respondent's registration of the Domain Name without any relationship to Complainant or its mark creates a strong presumption that Respondent lacks a legitimate interest in the Domain Name. Additionally, even if Respondent did use the Domain Name to offer medical data capture services, which is unclear, such use could not amount to a bona fide offering because such services would compete with, or have the potential to compete with, Complainant, while the Domain Name is confusingly similar to Complainant's CLINICAL INK mark. In other words, Complainant concludes Respondent lacks any legitimate interest in the Domain Name under the Policy.

(iii) Registered and used in bad faith

Complainant contends that the Domain Name was registered and is being used in bad faith. As noted above, Respondent registered the Domain Name without Complainant's authorization on July 24, 2025, more than a decade after Complainant commenced use of its CLINICAL INK mark in commerce. Complainant claims Respondent's registration of the Domain Name, which is confusingly similar to Complainant's mark, without any relationship with Complainant, is per se evidence of bad faith registration and use.

Further, Complainant asserts that Respondent's claim to offer services similar to Complainant's products, which is further evidence of bad faith. Complainant states the Domain Name claims to offer data capture services. Complainant contends Respondent is attempting to take unfair advantage of the goodwill and reputation of Complainant's marks.

In addition, Complainant's counsel sent a demand letter to Respondent on October 20, 2025, and followed up on that demand letter on November 4, 2025, but has received no response from Respondent. Such failure to respond to a demand letter is additional evidence of bad faith.

Accordingly, Complainant concludes Respondent has registered and is using the Domain Name in bad faith.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

In order to succeed on its Complaint, Complainant must demonstrate that the three elements set forth in paragraph 4(a) of the Policy have been satisfied. These elements are that:

- (i) the Domain Name registered by Respondent is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) Respondent has registered and is using the Domain Name 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 Panel finds that Complainant has shown rights in respect of its CLINICAL INK trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The second-level portion of the Domain Name contains the word "clinical", while the top-level domain ("TLD") is ".ink". In this case, the Panel follows the guidance provided by [WIPO Overview 3.0](#), section 1.11.3: "Where the applicable TLD and the second-level portion of the domain name in combination contain the relevant trademark, panels may consider the domain name in its entirety for purposes of assessing confusing similarity." Here, considering the Domain Name in its entirety, the Panel finds that it is confusingly similar to Complainant's CLINICAL INK mark.

Accordingly, the Domain Name is confusingly similar to the mark for the purposes of the Policy. The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name, while Respondent has not responded to the Complaint and therefore has not come forward with any evidence demonstrating rights or legitimate interests in the Domain Name. As stated by Complainant, there is no relationship between Complainant and Respondent giving rise to any license, permission, or other right by which Respondents could own or use any domain name incorporating Complainant's CLINICAL INK mark, or variations on that mark. The Domain Name, which is confusingly similar to Complainant's mark, resolves to a website that appears to offer services that are competitive with, or at least have the potential to be competitive with, Complainant's services. See [WIPO Overview 3.0](#), section 2.5.3; See also e.g., *Urban Outfitters Inc. v. Super Privacy Service LTD c/o Dynadot / Domain Administrator, Domain Name Corporation*, WIPO Case No. [D2022-2928](#) ("[A] respondent is not using a domain name for a bona fide offering of goods or services if it uses the domain name for competing products. The use of Complainant's trademark which has a reputation for offering the type of products being offered by the Respondent is not fair..."); *Accenture Global Services Limited v. Janaka De Silva*, WIPO Case No. [D2020-0481](#) ("at the time of filing the Complaint the disputed domain name resolved to a website which was offering goods and services, competing with, or having the potential to compete with, the Complainant's consulting services. Panels have categorically held that the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent").

Accordingly, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The third element of paragraph 4(a) of the Policy requires that Complainant demonstrate that Respondent registered and is using the Domain Names in bad faith. [WIPO Overview 3.0](#), section 3.1, states “bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant’s mark”.

In the present case, the Panel finds that Respondent registered and is using the Domain Name in bad faith by using it to intentionally attempt to attract, for commercial gain, Internet users to Respondent’s website, by creating a likelihood of confusion with Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of Respondent’s site or a product or service on Respondent’s site. As Complainant contends, it appears likely that Respondent is attempting to take unfair advantage of the goodwill and reputation of Complainant’s CLINCIAL INK mark. The circumstances establish Respondent’s bad faith, including: (i) evidence to suggest it is likely Respondent knew (or, being located in the same jurisdiction as Complainant, should have known) about Complainant and its CLINCIAL INK trademark and targeted that mark when registering the Domain Name; and (ii) Respondent offers goods and services which compete, or have the potential to compete, with Complainant in the medical field. [WIPO Overview 3.0](#), section 3.1.4. See *Urban Outfitters Inc., supra*, (“The disputed domain name resolves to a website, which offers products similar to those offered by the Complainant. As such, the disputed domain name has been registered in order to attract Internet users to the Respondent’s website by creating a likelihood of confusion with the Complainant’s trademark as to the source, sponsorship, affiliation, or endorsement.”). In addition, in this case the Panel also weighs that Respondent failed to respond to Complainant’s cease-and-desist letter and has not submitted a response in this case to contest any of Complainant’s allegations. See *Comerica Bank v. Adex Adex*, WIPO Case No. [D2016-1438](#) (“Respondent’s bad faith is further established by Respondent’s . . . failure to respond to a demand letter sent to Respondent by Complainant.”).

Accordingly, the Panel concludes that 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 Domain Name <clinical.ink> be transferred to Complainant.

/Christopher S. Gibson/

Christopher S. Gibson

Sole Panelist

Date: January 9, 2026