

ADMINISTRATIVE PANEL DECISION

PHARMABEST v. victor zdbigeort, phbes

Case No. D2025-5114

1. The Parties

The Complainant is PHARMABEST, France, represented by Cabinet Beau de Loménie, France.

The Respondent is victor zdbigeort, phbes, United Arab Emirates.

2. The Domain Name and Registrar

The disputed domain name <pharmabest-france.com> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 9, 2025. On December 9, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (CONTACT PRIVACY INC. Customer 0176187593) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 11, 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 amended Complaint on December 19, 2025.

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 of the Complaint, and the proceedings commenced on December 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 16, 2026.

The Center appointed Mireille Buydens as the sole panelist in this matter on January 23, 2026. 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 company created in 2016, bringing together 21 major French pharmacies. By the end of 2023, the Complainant, under the name PHARMABEST, has become one of the leading groups in France and now brings together 122 of the 600 largest national pharmacies, in France and overseas territories, with sales in the amount of EUR 1.2 billion.

The Complainant owns various trademark registrations for PHARMABEST (hereafter “the PHARMABEST Trademark” or “the Trademark”), including the following:

- The European Union  trademark registration no.015120058 registered on July 6, 2016 for PHARMABEST (word and design mark); and
- The French trademark registration no.4199983, registered on December 4, 2015, for PHARMABEST (wordmark).

The Complainant’s official website is operated under the domain name <pharmabest.com>, which depicts its Trademark, and where it sells various pharmaceutical products that can be purchased without a prescription.

The disputed domain name was registered on September 16, 2025. According to the evidence in the Complaint, the disputed domain name directs to a website in French selling similar skincare products, and using the word sign PHARMABEST (but not the Complainant’s logo or the Complainant’s trade dress). The website under the disputed domain name displays no information that would allow to identify its owner. At the date of this Decision, the disputed domain name redirects to a website which does not display the Complainant’s Trademark, but is still selling pharmaceutical products, in French, with no information about the entity exploiting it.

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.

First, the Complainant contends that the disputed domain name is identical or at least confusingly similar to the PHARMABEST Trademark as it includes the Trademark in its entirety. The Complainant furthermore explains that the disputed domain name is similar to the Complainant’s domain name and company name, and resolves to a website in French selling similar products.

Second, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent does not have any trademark rights and is not known for having any business under the name PHARMABEST. The Complainant explains that the Respondent is using the disputed domain name to create confusion with the Complainant, who was using the PHARMABEST Trademark for more than a decade before the registration of the disputed domain name. Besides, the Respondent does not identify itself on the website under the disputed domain name, refers to France in the disputed domain name (France being the country of the Complainant) and offers for sale the same products as the Complainant.

The Complainant further contends that the disputed domain name has been registered and is used in bad faith. The Respondent uses the disputed domain name to intentionally attempt to attract for commercial gain Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant as to the source, sponsorship, affiliation, or endorsement of the Respondent's website and products. The website under the disputed domain name is in French, the disputed domain name refers to France, the Respondent gives no information about his identity and place of business, which demonstrate that it is willing to create confusion with the Complainant, its Trademark and its domain name.

B. Respondent

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

6. Discussion and Findings

Dealing with the Respondent's failure to file a response to the Complaint, paragraph 14(b) of the Rules provides that if a party, in the absence of exceptional circumstances, does not comply with a provision of, or requirement under these Rules, the panel shall be entitled to draw such inferences from this omission, as it considers appropriate.

Paragraph 4(a) of the Policy provides that Complainant prove each of the following three elements in order to succeed in its Complaint:

- (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 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.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the entirety of the PHARMABEST Trademark is reproduced within the disputed domain name. The only difference between the PHARMABEST Trademark and the disputed domain name is the addition of a hyphen followed by the term "france". Although the addition of this term 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 Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Further, the generic Top-Level Domain ("gTLD") ".com" is a standard registration requirement and does not prevent the disputed domain name from being confusingly similar to the PHARMABEST Trademark.

Accordingly, the disputed domain name is confusingly similar to the PHARMABEST Trademark for the purposes of the Policy.

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 Respondent is not licensed by, nor affiliated with, the Complainant in any way. There is no evidence that the Respondent is commonly known by the disputed domain name, nor is there any evidence of use or demonstrable preparations to use the disputed domain name for a bona fide offering of goods or services. There is no evidence of legitimate noncommercial or fair use of the disputed domain name, either. On the contrary, the Panel notes that the disputed domain name reproduces the PHARMABEST Trademark with the mere addition of a hyphen followed by the term “france” (referring to the country where the Complainant is located and well known). The composition of the disputed domain name, along with the gTLD “.com” (also used by the Complainant for its official domain name which is similar to the disputed domain name), coupled with its use for a website displaying the PHARMABEST Trademark, albeit with a different stylized logo, and referring to “PharmaBest” in the “About Us” section (in French, “À propos de nous”), affirm the Respondent’s intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant’s Trademark. This confirms that there is no use, nor preparations to use, the disputed domain name in connection with a bona fide offering of goods or services.

Further, by not submitting a response, the Respondent has failed to invoke any circumstance which could have demonstrated any rights or legitimate interests in the disputed domain name under paragraph 4(c) of the Policy.

Based on the above, the Panel finds that the Complainant has satisfied the requirement under paragraph 4(a)(ii) of the Policy.

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.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy. The Panel notes that the Respondent has composed the disputed domain name by combining the Complainant’s PHARMABEST Trademark with a hyphen followed by the term “france” which will be understood by Internet users as a reference to France where the Complainant is located and well known. A quick search for the term “pharmabest” online would have

revealed to the Respondent the existence of the Complainant and its Trademark.¹ Furthermore, the website associated with the disputed domain name displays the PHARMABEST Trademark and a “plus” logo, albeit in a different stylized manner than the one used by the Complainant. Taking into account all the circumstances of this case, the Panel finds that the Respondent was more likely than not aware of the Complainant’s Trademark at the time of the registration of the disputed domain name. [WIPO Overview 3.0](#) section 3.2.2.

Besides, the Panel notes that the website under the disputed domain name contains no information allowing Internet users to identify the entity or person operating the website (but, as noted above, refers to “PharmaBest” in the “About Us” section), is directed to French-speaking customers and offers products similar to those offered on the Complainant’s official website. In light of this, on the balance of probabilities, it seems likely that the Respondent registered and uses the disputed domain name seeking to unduly benefit from the Complainant’s Trademark and associated goodwill. The Panel finds that the change in use reinforces the finding that there was no good faith intention behind the registration and prior use of the disputed domain name.

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 <pharmabest-france.com> be transferred to the Complainant.

/Mireille Buydens/

Mireille Buydens

Sole Panelist

Date: January 29, 2026

¹Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#) section 4.8. The Panel notes that Internet search for the term “pharmabest” returns top results related to the Complainant.