

ADMINISTRATIVE PANEL DECISION

Varian Medical Systems, Inc. v. Name Redacted
Case No. D2025-5446

1. The Parties

The Complainant is Varian Medical Systems, Inc., United States of America (“United States”), represented by Sideman & Bancroft LLP, United States.

The Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name <varianmedicalsyste.com> (the “Domain Name”) is registered with Metaregistrar BV (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 30, 2025. On January 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 5, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name that differed from the named Respondent (Registrant Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 5, 2026, providing the registrant and

¹ Although the Complainant has alleged that it does not know whether the Registrant name in the registration details of the Domain Name is fictitious or falsified, the Panel is concerned that the use of the name may be a case of identity theft. The United States Department of Transportation (“USDOT”) lists three separate companies with the exact name of the Registrant, one of which has the same address as the Named Registrant. However, the company has a different telephone number in its USDOT listing from the Registrant telephone number in the registration details. Given these facts, the Panel’s finding in this Decision that the Respondent has engaged in impersonation, and the facts pointed out in footnote 2, *infra*, the Panel believes that the Respondent may not be the named Registrant and that the named Registrant may be an unrelated third party. Accordingly, the Panel has redacted the Registrant’s name from this decision. The Panel has attached as Annex 1 to this decision an order to the Registrar providing for transfer of the Domain Name that includes the name of the Registrant disclosed by the Registrar. The Panel has directed the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, but has further directed that Annex 1 to this Decision not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an Amended Complaint on January 8, 2026.

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 Amended Complaint, and the proceedings commenced on January 13, 2026. In accordance with the Rules, paragraph 5, the due date for a Response was February 2, 2026. The Respondent did not submit a response. Accordingly, the Center notified the Respondent’s default on February 3, 2026.

The Center appointed A. Justin Ourso III as the sole panelist in this matter on February 6, 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, a Delaware corporation headquartered in Palo Alto, California, is a leading global manufacturer of medical devices and software used in cancer treatment, which has operated under its VARIAN mark, and VARIAN-formative marks, since 1948.

The Complainant owns United States registration, No. 828,848, for its VARIAN trademark, issued on May 16, 1967, for various medical devices in Class 10; United States registration, No. 836,706, for its VARIAN trademark, issued on October 10, 1967, for various medical devices in Class 9; United States registration No. 6,540,384, for its VARIAN trademark, issued on October 26, 2021, for downloadable computer software in the medical field; medical devices; installation, maintenance, and repair services for medical devices, and similar services; training services for medical devices, and related services; and installation, maintenance, and repair services for computer software, and related and other services, in Classes 9, 10, 37, 41, and 42, respectively; and other registrations.

The Complainant owns the domain name <varian.com> and historically has operated a website at “www.varian.com,” which it has used as its primary corporate website, through which it has advertised its goods and services. Subsequent to the Complainant’s acquisition by Siemens Healthineers AG, the domain name redirects to a Siemens Healthineers website advertising its VARIAN branded goods and services. The Complainant’s employees use email addresses with “[.]@varian.com” in the ordinary course of business.

The Respondent registered the Domain Name, using a privacy service, on December 5, 2025, and, within six days, on December 11, 2025, used the Domain Name to send an email impersonating a Complainant employee and targeting a third-party transportation brokerage company with a phishing scheme². The Domain Name currently does not resolve to an active website.

² Curiously, the Complainant and the same employee were targeted the month before in a similar impersonation phishing scheme by a Respondent who used the employee’s name as the Registrant when registering the domain name at issue. *Varian Medical Systems, Inc. v. Name Redacted*, WIPO Case No. [D2025-5427](#). Here, too, the Respondent may have used a third-party’s name as the Registrant when registering the Domain Name, hence the name redaction addressed in footnote 1.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy to transfer the Domain Name, which it requested.

Notably, the Complainant contends that the Respondent sent to a third-party transportation brokerage company an email using the Domain Name, fraudulently impersonating a real employee of the Complainant, and using a format that closely resembled the Complainant's business email format, in which the Respondent initiated a false freight-transportation inquiry, and that the Complainant has made a prima facie showing that the Respondent lacks rights or legitimate interests in the Domain Name, shifting the burden of production to the Respondent.

B. Respondent

The Respondent did not submit a response.

6. Discussion and Findings

A complainant must prove three elements to obtain relief: (i) the domain name is identical or confusingly similar to a trademark in which the complainant has rights; (ii) the respondent has no rights or legitimate interests in the domain name; and (iii) the respondent registered and is using the domain name in bad faith. Policy, paragraph 4(a).

A. Identical or Confusingly Similar

The Panel finds that the Complainant's registrations establish its trademark rights. WIPO Overview of WIPO Panel Views on Selected UDRP Questions Third Edition ("[WIPO Overview 3.0](#)"), section 1.2.1. The Domain Name incorporates the entire trademark, and the trademark is recognizable within the Domain Name, notwithstanding the addition of the elements "medical" and "system" after the mark. The Panel finds that the Domain Name is confusingly similar to the trademark. [WIPO Overview 3.0](#), sections 1.7 and 1.8. Accordingly, the Panel concludes that the Complainant has proven the first element: the Domain Name is confusingly similar to a trademark in which it has rights.

B. Rights or Legitimate Interests

The Respondent has not claimed the existence of any circumstance under the Policy, paragraph 4(c), that demonstrates that a respondent has rights to, or legitimate interests in, a domain name. The Complainant, on the other hand, has shown that it established its trademark rights before the Respondent registered the Domain Name; it has not authorized the Respondent to use its trademark; the record reflects no evidence that the Respondent is commonly known by the Domain Name or any similar name; and the Respondent has used the Domain Name to impersonate a Complainant employee in a phishing scheme, which is not a bona fide commercial use, a legitimate noncommercial use, or a fair use of the Domain Name. This constitutes prima facie a showing that the Respondent lacks any rights or legitimate interests in the Domain Name under the Policy, paragraph 4(a)(ii), shifting the burden of production on this second element to the Respondent to come forward with relevant evidence proving rights or legitimate interests in the Domain Name. [WIPO Overview 3.0](#), sections 2.1 and 2.13. The Respondent has not submitted any evidence to rebut the prima facie showing.

Additionally, the Respondent's name and email address in the registration details do not resemble the Domain Name, corroborating that the Respondent is not commonly known by the Domain Name. Also, the Respondent failed to provide any evidence of an actual or a planned bona fide commercial use, a noncommercial use, or a fair use of the Domain Name, or even to respond to the Complaint. On the

contrary, the evidence shows impersonation and an intended deceptive use for commercial gain. [WIPO Overview 3.0](#), sections 2.5 and 2.13.

Most importantly, the Panel finds that the Complainant has proven that the Respondent impersonated a Complainant employee in a phishing attempt to obtain freight transportation information from a transportation brokerage company. Panels have categorically held that the use of a domain name for impersonation to engage in phishing can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13. Accordingly, the Panel concludes that the Complainant has proven the second element: the Respondent lacks rights or legitimate interests in the Domain Name.

C. Registered and Used in Bad Faith

The Panel finds that the Respondent deliberately chose a domain name whose only plausible purpose is for deceptive emails targeting the Complainant's business. The Respondent then promptly impersonated a Complainant employee in a phishing attempt, which is per se a deceptive and illegitimate activity and a bad faith use of the Domain Name. [WIPO Overview 3.0](#), sections 3.1.4, 3.2.1, and 3.4. These findings compel the Panel's conclusion that the Respondent (1) intentionally registered the Domain Name in bad faith to impersonate the Complainant and target the Complainant's business and (2) used it in bad faith to impersonate the Complainant for its own illegitimate commercial gain. [WIPO Overview 3.0](#), sections 3.1, 3.1.4, and 3.4. The Respondent's use of a privacy service, and the Respondent's failure to submit a response to the Complaint, support the conclusion of bad faith registration and use. [WIPO Overview 3.0](#), sections 3.2.1, 3.6, and 4.3. Accordingly, the Panel concludes that the Complainant has proven the third element: the Respondent registered and is using the Domain Name in bad faith.

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 <varianmedicalsyste.com> be transferred to the Complainant.

/A. Justin Ourso III/

A. Justin Ourso III

Sole Panelist

Date: February 16, 2026