

ADMINISTRATIVE PANEL DECISION

Norgine Limited v. Oluwaseun Adeniji

Case No. D2026-0151

1. The Parties

- 1.1 The Complainant is Norgine Limited, United Kingdom, internally represented.
- 1.2 The Respondent is Oluwaseun Adeniji, United Kingdom, represented by Octal Partners, Nigeria.

2. The Domain Name and Registrar

- 2.1 The disputed domain name <norginepharmaceutical.com> (the “Domain Name”) is registered with IONOS SE (the “Registrar”).

3. Procedural History

- 3.1 The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 14, 2026. At that time, publicly available Whois details did not identify the underlying registrant of the Domain Name.
- 3.2 On January 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 16, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name. The Center sent an email communication to the Complainant on January 16, 2026, 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 January 16, 2026.
- 3.3 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”).
- 3.4 In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 9, 2026.
- 3.5 The Response was filed with the Center on February 7, 2026.

3.6 Following receipt of, and in light of the content of, the Response, the Center asked the Parties in an email on February 10, 2026 whether they wished the proceedings to be suspended to explore settlement. The Complainant responded on February 23, 2026 as follows:

“Please be advised that we do not seek a suspension of these proceedings. Instead, we respectfully request that the matter be determined by the Panel, as we consider that the disputed registration was obtained in bad faith.”

3.7 The Center appointed Matthew S. Harris as the sole panelist in this matter on February 25, 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

4.1 The Complainant is a United Kingdom registered company which is part of the Norgine group of companies. Other companies in the Norgine group include Norgine Pharmaceuticals Limited (UK Company No. 03527131). The business of the group was founded in 1906 and is engaged in the provision of specialist pharmaceutical goods and services. It has offices and/or factories across the United Kingdom and Europe, and an office in Sydney, Australia. Its medical and pharmaceutical products are used by or for the purposes of 25 million patients across the globe; and its net product sales were over EUR 500 million in 2025.

4.2 The Norgine group deals in products under multiple marks, but also has traded under the “Norgine” name for many decades. Companies in the Norgine group are the owners of the following registered trade marks:

(i) United Kingdom registered trade mark no UK00000609225 in the name of the Complainant for NORGINE as a word mark registered on September 26, 1939 in class 5; and

(ii) International trade mark registration no 219623 in the name of Norgine SAS for NORGINE registered on April 30, 1959 and which has proceeded to, and remains in, registration in close to 30 jurisdictions.

4.3 The Complainant operates a website promoting the group’s business from the domain name <norgine.com>. It is also the owner of various other domain names that incorporate the NORGINE mark including <norginepharmaceuticals.com>. The extent to which the <norginepharmaceuticals.com> domain name has been historically used is not entirely clear, but the Panel notes that at the date of this decision that this domain name redirects Internet users to the Complainant’s main <norgine.com> website.¹

4.4 The Domain Name was registered on December 11, 2025. It has not been used for an active website since registration.

5. Parties’ Contentions

A. Complainant

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

¹There are also records in the Internet Archive of <norginepharmaceuticals.com> being used to at least some degree in that fashion prior to the registration of the Domain Name.

5.2 In support of these contentions it asserts that the term “Norgine” has no meaning in the English language and is not even the misspelling of some everyday word. The Complainant further contends that the Domain Name has been or will be used by the Respondent “to mirror, mimic and pass him/herself of as the Complainant Group and its business”. In places and by reference to the term “Fraudulent Website”, the Complainant appears to suggest that a website was in operation at some point from the Domain Name. However, it also records correspondence between it and the Registrar in December 2025 in which the Registrar advised the Complainant to file a UDRP claim because there was no content associated with the Domain Name.

B. Respondent

5.3 The Response takes the form of a document prepared on behalf of Oluwaseun Adeniji by Octal Partners, who describe themselves as counsel to the Respondent. The document claims that the Domain Name was registered “as part of bona fide preparatory steps toward the establishment of a pharmaceutical company in Nigeria”.

5.4 The Response also goes on to assert as follows:

“For completeness, the Respondent submits that, prior to any contemplated business registration, a name availability search was conducted with the Nigerian Corporate Affairs Commission (CAC). At the time of that search, the name “Norgine Pharmaceutical” appeared as available on their website. This step formed part of the Respondent’s preliminary due-diligence and supports the Respondent’s position that the Disputed Domain Name was not registered with the intent to target the Complainant or its trademark. Evidence of this search can be provided to the panel upon request.

The term ‘norgine’ was independently coined by the Respondent from family name abbreviations and was not selected with reference to the Complainant or its trademarks.”

5.5 However, the document does not provide any documentary evidence to support these contentions.

5.6 The Response advanced various arguments as to the operation of the UDRP (including by reference to *Alberto-Culver Company v. Pritpal Singh Channa*, WIPO Case No. [D2002-0757](#)) to the effect that the Respondent has rights or a legitimate interest in the Domain Name and that the Domain Name was not registered or used in bad faith.

5.7 However, at the end the Respondent offered to transfer the Domain Name to the Complainant “pursuant to paragraph 4(i) of the Policy”. This offer is said to be “without any admission of liability, bad faith, or infringement” and “should not be interpreted as a concession that the [Domain Name] was registered or used with fraudulent intent”.

5.8 The Response did not include a statement as required by paragraph 5(c)(viii) of the Rules.

6. Discussion and Findings

A. Transfer by consent

6.1 Where it is clear that a respondent has consented to the transfer of a domain name, it is open to a Panel to determine that the domain name be transferred solely on the basis of that consent. That practice is recorded in section 4.10 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions (the “[WIPO Overview 3.1](#)”). As to this Panel’s recently declared practice in this respect, also see *Build-A-Bear Workshop, Inc. v. Daniel Keelagher*, WIPO Case No, D2025-2769.

6.2 However, the Panel does not consider it appropriate to proceed in this way in this case. The Respondent has decided to put in a Response in which a right or legitimate interest has been positively

asserted and in which there is an express denial of bad faith. This, therefore, falls within the list of circumstances in which a Panel may refuse to simply order a transfer of a domain name by consent that is set out in section 4.10 of the [WIPO Overview 3.1](#). Further, the Complainant when it responded to the Center's enquiry as to whether the Parties wanted a stay of proceedings to allow settlement, did not just reject a stay. The language it used made it clear that it took issue with the Respondent's assertions as to lack of bad faith, and wanted this addressed in a decision by the Panel.

6.3 In the circumstances, the Panel considers it appropriate to issue a full decision in this matter.

B. Identical or Confusingly Similar

6.4 It is generally 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 trade mark and the domain name. [WIPO Overview 3.1](#), section 1.7.

6.5 The Complainant has shown that it has rights in registered trade marks for NORGINE. [WIPO Overview 3.1](#), section 1.2.1.

6.6 The only sensible reading of the Domain Name is as the term "norgine" combined with the words "pharmaceutical" and the ".com" generic Top-Level Domain ("gTLD"). Accordingly, the entirety of the Complainant's mark is reproduced within the Domain Name and as a consequence that mark is clearly recognisable in the Domain Name.

6.7 It follows that the Domain Name is confusingly similar to the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Further, the addition of the word "pharmaceutical" does not prevent a finding of confusing similarity between the Domain Name and the Complainant's marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

6.8 The Panel also notes that the Respondent accepts (albeit "[f]or the purposes of this proceeding, and without admission") that the Domain Name is confusingly similar to the Complainant's trade mark.

6.9 The Panel, therefore, finds the first element of the Policy has been established.

C. Rights or Legitimate Interests, and Bad Faith Registration and Use

6.10 It is usual for panels under the Policy to consider the issues of rights or legitimate interests, and registration and use in bad faith, in turn. However, in this case it is more convenient to consider those issues together (see [WIPO Overview 3.1](#), section 2.15).

6.11 The reason for this is that the Complainant contends that the Domain Name has been registered to falsely impersonate it, and not as the Respondent contends as part of bona fide preparatory steps toward the establishment of a pharmaceutical company in Nigeria, and where the name "Norgine" was independently coined by the Respondent from family name abbreviations. If the Complainant is correct, not only would the Domain Name have been registered and held in bad faith, but the Respondent would have no right or legitimate interest in the same (see for example [WIPO Overview 3.1](#), sections 2.5.1).

6.12 The Panel has little hesitation in concluding that the Complainant is correct in its assertions. The Panel accepts the Complainant's contentions that "norgine" has no meaning in English other than as a reference to the Complainant's trade mark and that Complainant has operated significant international business under this trade mark for many years. This and the fact that the Domain Name comprises that term and the word "pharmaceutical" that is at least in part descriptive of the Complainant's business, means that the overwhelmingly most likely explanation of the choice of those terms in the Domain Name is in order to refer to the Complainant. Further, the combination of mark and word that is merely descriptive of the Complainant's business, means that the Domain Name inherently impersonates the Complainant and it is overwhelmingly likely that this impersonation is deliberate. This is even more likely to be so, given that the

Complainant holds and is using a domain name (i.e. <norginepharmaceuticals.com>) that, and there is a company within the Complainant's Group (i.e. Norgine Pharmaceuticals Limited) whose name differs from the Domain Name by only one letter.

6.13 It follows that the Respondent's claim that the term "norgine" in the Domain Name was chosen for a pharmaceutical company because of "family name abbreviations" and that preparations have been undertaken in respect of the setting up of a bona fide business in this respect, are assertions which are inherently highly improbable. This is not just a case of the Respondent failing to show "demonstrable preparations" to use the Domain Name in respect of a bona fide offering of goods and services (in accordance with paragraph 4(c)(i) of the Policy). It is an assertion of a character that if it is to be taken seriously by the Panel, requires a proper explanation and supporting evidence. None has been provided. It is also no answer to this point that the Response partially offers to provide more evidence to the panel "upon request". It is for the Respondent to set out any evidence relied upon when the Response is filed.

6.14 Further, the Respondent's contentions are not just unsubstantiated assertions, but those unsubstantiated assertions are not even supported by a statement of truthfulness as required by paragraph 5(c)(viii) of the Rules. As this Panel discussed in *Audiotech Systems Ltd. v. Videotech Systems Ltd.*, WIPO Case No. [D2008-0431](#) and *MMJ Apparel IP LLC v. Krix Luther*, WIPO Case No. [D2025-3031](#), this is not a trivial or technical omission. It is a relevant consideration in the Panel's assessment of and corresponding weight given to the Respondent's claims.

6.15 The Complainant asserts that the impersonation of it through the Domain Name is for the furtherance of some form of fraud. The Panel understands why the Complainant may have contended this is so, but there is no need for the Panel to make any such finding to come to its conclusion in this case.

6.16 In the circumstances, the Panel finds that both the second and third elements of the Policy have been established.

7. Decision

7.1 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 <norginepharmaceutical.com> be transferred to the Complainant.

/Matthew S. Harris/

Matthew S. Harris

Sole Panelist

Date: February 27, 2026