

ADMINISTRATIVE PANEL DECISION

Medical University of South Carolina v. Tarek Roustom
Case No. D2026-0490

1. The Parties

The Complainant is Medical University of South Carolina, United States of America (“U.S.”), represented by Nelson Mullins Riley & Scarborough, LLP, U.S..

The Respondent is Tarek Roustom, Germany.

2. The Domain Name and Registrar

The disputed domain name <musc-medical.com> is registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on February 5, 2026. On February 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 6, 2026, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 6, 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 in English on February 11, 2026.

On February 6, 2026, the Center informed the parties in German and English, that the language of the registration agreement for the disputed domain name is German. On February 11, 2026, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 in English and German of the Complaint, and the proceedings commenced on February 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 13, 2026.

The Center appointed Peter Burgstaller as the sole panelist in this matter on March 24, 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 the Medical University of South Carolina (MUSC) providing services in research, healthcare, and education since 1824 (Annexes 2 and 3 to the Complaint). The Complainant owns the following U.S. trademark registrations:

- MUSC (word), Registration ("Reg.") No. 7037183, registered on April 25, 2023;
- MUSC HEALTH (word), Reg. No. 7358839, registered on April 16, 2024; and
- MUSC MEDICAL UNIVERSITY OF SOUTH CAROLINA (word), Reg. No. 3094683, registered May 23, 2006 (Annex 4 to the Complaint).

Under the domain name <muscd.edu> the Complainant provides its main website with information about the Complainant's service areas (Annex 2 to the Complaint).

The disputed domain name was registered on December 8, 2024 (Annex 1 to the Complaint). At the time of filing the Complaint the disputed domain name redirected to the Complainant's official website under the domain name <muscd.edu> (Annex 5 to the Complaint) and there are active Mail Exchange ("MX") records for the disputed domain name (Annex 6 to the Complaint).

5. Parties' Contentions

A. Complainant

The Complainant requests that the language of the proceeding be English; it further contends that it has satisfied each of the elements required under the Policy for cancellation of the disputed domain name.

Notably, the Complainant contends that the MUSC trademark is highly distinctive and it has been using the mark at least since 1969; it notes that the Respondent registered the disputed domain name decades after the Complainant first began using and first registered trademarks containing the mark MUSC. The disputed domain name contains the MUSC trademark in its entirety and simply adding the descriptive term "medical" and a hyphen which cannot eliminate the confusing similarity between the Complainant's trademark and the disputed domain name.

The Complainant submits that the Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to use the MUSC trademark in any manner; the Respondent is not known under the disputed domain name or has any other right or legitimate interests in it.

Further, because of the long-lasting use and the distinctiveness of the MUSC trademark as well as the composition of the disputed domain name (consisting of the terms "muscd" and "medical"), the Respondent must have been aware of the Complainant and its MUSC trademark when registering the disputed domain name.

Finally, the Complainant notes that the Respondent is using the disputed domain name to redirect visitors to the Complainant's official website at "www.musc.edu" and has associated MX servers to the disputed domain name. These activities amount to bad faith use.

B. Respondent

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

6. Discussion and Findings

6.1 Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is German. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English for several reasons, including the fact that

- the disputed domain name is comprised of characters from the ISO basic Latin alphabet, which the English alphabet and language is derived;
- the language comprising the Complainant's MUSC mark is English and the disputed domain name comprises this mark;
- the descriptive suffix to the MUSC mark in the disputed domain name is the English descriptive term "medical";
- Complainant is unable to communicate in German and requiring translation of the Complaint into German would place an unnecessary burden on the Complainant and the administrative proceeding would be unduly delayed, and the Complainant would have to incur substantial expenses for translation.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see [WIPO Overview of WIPO Panel Views on Select UDRP Questions \("WIPO Overview 3.1"\)](#), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantial issues

According to paragraph 4(a) of the Policy, the Complainant must prove 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.

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 3.1](#), section 1.7.

The Complainant submitted evidence which incontestably and conclusively establishes rights in the mark MUSC.

In the present case, the disputed domain name is confusingly similar to the MUSC mark in which the Complainant has rights since that mark remains recognizable within the disputed domain name.

Although the disputed domain name adds the descriptive term "medical" as suffix together with a hyphen, it has long been established under UDRP decisions that adding descriptive/geographic terms to a trademark does not prevent a finding of confusing similarity under the first element of the Policy, if the relevant trademark remains recognizable within the disputed domain name. [WIPO Overview 3.1](#), section 1.8; this is the case here: the MUSC mark of the Complainant is clearly recognizable in the disputed domain name.

Finally, it has also long been held that Top-Level Domains are generally disregarded, here ".com", when evaluating the confusing similarity between a disputed domain name and a trademark. [WIPO Overview 3.1](#), section 1.11.1.

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 that 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 3.1](#), section 2.1.

The Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to use the MUSC trademark in any manner. The nature of the disputed domain name, comprising the MUSC mark together with the additional term "medical", which refer to the Complainant's field of activity, cannot be considered fair use as these, in the Panel's view, signal the Respondent's intention to confuse users seeking or expecting the Complainant.

Further, the Complainant provided evidence that the disputed domain name redirects Internet users to the Complainant's website which does not support a claim to rights or legitimate interests. [WIPO Overview 3.1](#), section 2.5.3.

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 Panel finds 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.

(i) In the present case the Complainant has rights and is the owner of the mark MUSC, which is registered and has been used long before the registration of the disputed domain name. Moreover, the Complainant is using the mark MUSC in its domain name <musc.edu> to host its main website.

It is inconceivable for the Panel that the Respondent registered the disputed domain name without knowledge of the Complainant's rights, which leads to the necessary inference of bad faith. This finding is supported by the fact that the disputed domain name incorporates the Complainant's trademark MUSC in its entirety together with the additional term "medical" which even strengthens the impression that the Respondent must have been aware of the Complainant and its mark when registering the disputed domain name since the terms refer to the Complainant's core field of activity.

Finally, a simple online search for "musc" would have shown the Complainant and its marks. [WIPO Overview 3.1](#), section 3.2.3.

Therefore, the Panel is convinced that the disputed domain name was registered in bad faith by the Respondent.

(ii) Further, the Complainant has put forward evidence that the disputed domain name was used by the Respondent to redirect to the Complainant's website and purporting to be the Complainant or at least authorized/sponsored by the Complainant. In doing so, the Respondent gives Internet users the impression that the site is controlled or at least authorized by the Complainant, which is not the case.

This clearly disrupts the Complainant's business and shows that the Respondent intentionally attempts to deceive and attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark, which constitutes bad faith use. [WIPO Overview 3.1](#), section 3.1.4.

Moreover, redirecting the disputed domain name to the Complainant's website may establish bad faith insofar as the Respondent retains control over the redirection thus creating a real or implied ongoing threat to the Complainant. [WIPO Overview 3.1](#), 3.1.4.

Finally, the bad faith use of the disputed domain name is also supported by the fact that the disputed domain name has active MX records, as shown in the MX records lookup, which indicates a possible use for email services.

Putting the evidence and documents produced and presented by the Complainant together and taking into account that the Respondent has failed to file a Response and therefore failed to present any evidence of any good faith registration and use with regard to the disputed domain name further prove that the disputed domain name was registered and is used by the Respondent in bad faith under paragraph 4(a)(iii) of the Policy.

The Panel finds the third element of the Policy has been established.

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 <musc-medical.com> be transferred to the Complainant.

/Peter Burgstaller/

Peter Burgstaller

Sole Panelist

Date: April 2, 2026