

ADMINISTRATIVE PANEL DECISION

Chiesi Farmaceutici S.p.A. v. Teresa Mason Donaby, Netfield Distributing
Case No. D2026-0500

1. The Parties

The Complainant is Chiesi Farmaceutici S.p.A., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondent is Teresa Mason Donaby, Netfield Distributing, United States of America ("USA").

2. The Domain Name and Registrar

The disputed domain name <chiesi-accounting.site> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 5, 2026. On February 6, 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 (*Not Disclosed*) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 9, 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 amendment to the Complaint on February 9, 2026.

The Center verified that the Complaint together with the amendment to the 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 February 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 5, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 10, 2026.

The Center appointed Dr. Clive N.A. Trotman as the sole panelist in this matter on March 19, 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 an Italian multinational biopharmaceuticals company with roots dating back to 1935, involved in the development and marketing of treatments for respiratory health, rare diseases and specialty care. The Complainant has grown considerably since 1935 through numerous mergers and acquisitions. The scale of the Complainant is that it invested EUR 589 million in research in 2022, and had 687 research staff employed in its research centers in seven countries. The Complainant recently opened a EUR 400 million Biotech Center of Excellence in Parma, Italy. The Complainant holds some 5643 patents and numerous trademarks, of which the following are representative:

CHIESI, word mark, International Trademark, registered on April 24, 2020, registration number 1542645, in classes 1, 5, 10, and 42;

CHIESI, figurative mark, United States Patent and Trademark Office, registered on May 1, 2012, registration number 4133610, in classes 5 and 10.

The Complainant also holds a number of domain names incorporating its trademark, including <chiesi.com>, which is its primary website.

Nothing of significance is known about the Respondent except for such contact details as were furnished to the Registrar at the time of registration of the disputed domain name on November 18, 2025. The disputed domain name was originally redirected to a parking page (the "Respondent's website") with sponsored links related to the pharmaceuticals industry, and had MX records configured. More recently the disputed domain name has not resolved to an active website.

The Complainant has been informed that the disputed domain name has been used as the basis of an email address to impersonate an employee from the accounting department of the Complainant's affiliate in the USA, in order to send unauthorized payment requests to third parties.

On December 16, 2025, the Complainant sent a cease and desist letter to the Respondent, via the Registrar, followed by reminders on December 24, 2025, and January 5, 2026. The Respondent did not reply.

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.

Notably, the Complainant contends that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights. The entirety of the Complainant's trademark is incorporated in the disputed domain name. The addition of a hyphen and the non-distinctive term "accounting" should not prevent a finding of confusing similarity to the Complainant's trademark.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized by the Complainant to use the Complainant's trademarks or to register or use the disputed domain name. There is no evidence that the Respondent has been commonly known by a name corresponding to the disputed domain name. There is no evidence of any use or demonstrable preparations for the use of the disputed domain name in connection with any bona fide offering of goods or services. Such use as the disputed domain name has received has

included a parking page with the provision of links to certain competitors of the Complainant within the field of pharmaceuticals.

The Complainant states that it has been informed that the Respondent has used an email address based on the disputed domain name in order to impersonate an employee in the accounting department of the Complainant's affiliated company in the USA, seeking payments from third parties. The actual emails are not available but it is noted that the disputed domain name has MX records configured. The use of a domain name for a fraudulent purpose can never confer rights or legitimate interest on a respondent.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith. The Complainant's trademarks were registered prior to the registration of the disputed domain name.

The Complainant says its trademark is well known. Google searches for the Complainant's trademark yield exclusively references to the Complainant. In the circumstances, the Respondent must have known, or ought to have known, of the Complainant's trademark and has registered the disputed domain name knowing that it would be confusingly similar to the Complainant's mark. The addition of the term "-accounting" to the Complainant's trademark to form the disputed domain name is indicative that the Respondent made the registration with intent to target the Complainant.

The Complainant says the use of the Respondent's website for the provision of pay-per-click links related to pharmaceuticals, including links to the Complainant's competitors, amounts to attempted use of the disputed domain name with intent to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark.

The Complainant reiterates, as stated under the heading of Rights and Legitimate Interests above, that it has been informed of use of the disputed domain name as the basis of an email address for impersonation and phishing purposes, which in and of itself should be found to constitute bad faith.

The disputed domain name does not currently resolve to an active website, which the Complainant says should be considered as amounting to passive holding. In this regard, the Complainant submits that its trademark is distinctive; the disputed domain name has been used for impersonation and phishing purposes and for pay-per-click links to other websites; the Respondent has failed to reply to cease and desist letters; the Respondent has concealed its identity in the public Whois records; and there is no plausible good faith use to which the disputed domain name could be put.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, “-accounting”) 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 mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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.

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 use of the disputed domain name in having initially resolved to a parking page displaying link categories to competitors of the Complainant, and more recently not to any active website, does not support any use for a bona fide offering of goods or services, or a fair or legitimate noncommercial use. The Respondent has not claimed any legitimate usage or demonstrable preparations for a bona fide use. There is no evidence the Respondent has been known by the disputed domain name or anything similar.

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.

Paragraph 4(b)(iv) of the Policy states as follows:

“by using the domain name, you [the Respondent] have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location”.

The website to which the disputed domain name resolved when the screen capture was made by the Complainant was evidently a parking page, established with the facilities for pay-per-click advertising links, whereby the Respondent would potentially qualify for a share of the revenue generated when visitors to the Respondent’s website followed links. The three link headings displayed in the screen capture were: “Dompe

Jobs”, Dompé being a pharmaceuticals company; “Recent Jobs in Pharmaceuticals”; and “Miat Spa”, Miat S.p.a. being a company in the pharmaceuticals industry.

Thus, the Respondent has, by the structure of the disputed domain name, created a likelihood that Internet users may be confused into believing, if only initially, that they were visiting an authentic website of the Complainant, and may then follow pay-per-click links provided, to the commercial gain of the Respondent. The Respondent is found to have used the disputed domain name in bad faith under paragraph 4(b)(iv) of the Policy. There is no evidence the disputed domain name was used for any other purpose before its use to display pay-per-click links. The Panel finds on the balance of probabilities that the disputed domain name was registered for the bad faith purpose for which it has been used, constituting registration in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Panels have held that the use of a domain name for illegitimate activity such as claimed phishing, identity theft, or the unauthorized accessing of an account, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. In that context it is pertinent to quote the relevant wording of the Complaint, initially under the heading of Rights and Legitimate Interests:

“In addition, as mentioned above, Complainant was informed that an email address based on the Domain Name was used for impersonation and phishing purposes, as Respondent impersonated an employee working for the accounting department of Complainant’s affiliated company in the United States and requested payments delivering email to third parties. Even though copy of a fraudulent email communication is not available, the actual prior use of the Domain Name for email purposes is proved by the initial presence of MX records in the DNS configuration of the Domain Name (Annex 9.2)”. In more or less repeating the essence of the above paragraph under the heading of Bad Faith, the Complainant replaced the word “proved” with “suggests”.

The Complainant did not produce evidence that surely could have been produced, such as a copy of a relevant email chain demonstrating impersonation or attempted fraud by the Respondent, redacted as necessary, or an affidavit from an affected or victim party, therefore the Complainant’s assertion of fraudulent use of the disputed domain name for email purposes cannot be admitted. Furthermore the existence of MX records in the DNS configuration of the disputed domain name cannot be accepted as proof that it has been used for email purposes, only that it has the capability, and whilst the MX records certainly may suggest the probability of email activity, the Panel cannot confirm that such email activity was in the furtherance of intended fraud, in the absence of pertinent evidence.

The Complainant’s claim of bad faith through passive holding is not sustainable since there has been recent actual use of the disputed domain name for website and apparently for email purposes.

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 <chiesi-accounting.site> be transferred to the Complainant.

/Dr. Clive N.A. Trotman/

Dr. Clive N.A. Trotman

Sole Panelist

Date: March 30, 2026