

## ADMINISTRATIVE PANEL DECISION

Laboratoires Thea v. Name Redacted, Health; Name Redacted  
Case No. D2026-0501

### 1. The Parties

The Complainant is Laboratoires Thea, France, represented by AARPI Scan Avocats, France.

The Respondents are Name Redacted, Health; Name Redacted, United States of America ("US").<sup>1</sup>

### 2. The Domain Names and Registrars

The disputed domain names <theapharmaiinc.com>, <theapharmainc.com> (<xn--theapharmanc-1fb.com>), and <théapharmainc.com> (<xn--thapharmainc-ceb.com>), are registered with NameCheap, Inc.

The disputed domain name <theapharmas.com> is registered with GoDaddy.com, LLC (collectively, the "Registrars").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 5, 2026 regarding <theapharmas.com> and <theapharmainc.com>. On February 6, 2026, the Center transmitted by email to the Registrars a request for registrar verification in connection with these two disputed domain names. On February 6 and 9, 2026, the Registrars transmitted by email to the Center their verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (REGISTRATION PRIVATE, DomainsByProxy.com/Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint.

The Center sent an email communication to the Complainant on February 11, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for these two disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the

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<sup>1</sup>The Respondents appear to have used the names and contact details of third parties when registering the disputed domain names. In light of the potential identity theft, the Panel has partially redacted the Respondents' names from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrars regarding transfer of the disputed domain names, which includes the names of the Respondents. The Panel has authorized the Center to transmit Annex 1 to the Registrars as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case.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](#).

same entity and/or that all disputed domain names are under common control. The Complainant filed a first amended Complaint on February 11, 2026, which included the request for an addition of two disputed domain names <theapharmaiinc.com> and <théapharmainc.com> to the Complaint.

The Center transmitted another request for registrar verification on February 16, 2026 regarding the additional two disputed domain names to the Registrar NameCheap, Inc. The Registrar NameCheap, Inc. transmitted its verification response confirming the Name Redacted is the registrant of the disputed domain names <theapharmaiinc.com> and <théapharmainc.com> and providing contact information. The Center sent an email communication to the Complainant on February 16, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. The Complainant filed a second amended Complaint on February 19, 2026.

The Center verified that the Complaint together with the amended Complaints 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 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 15, 2026. The Respondent of the disputed domain name <theapharmas.com> sent an email communication with the content "not interested" to the Complainant on February 19, 2026, and the Complainant forwarded this email communication to the Center on February 20, 2026. The Center received an email communication from the Complainant on March 10, 2026, indicating its subsidiary had received the Written Notice which was sent to the physical address of the Respondent of the disputed domain name <theapharmas.com>. The Center received an email communication from a third party on March 11, 2026, claiming its identity had been used to register some of the disputed domain names and it had nothing to do with these disputed domain names. On March 13, 2026, the Complainant sent an email communication to the Center indicating there is additional element supporting the consolidation because the Respondents used the identities of the Complainant's subsidiary and another company in registering the disputed domain names. The Respondents did not file any formal response. The Center informed the Parties of the commencement of the panel appointment process on March 18, 2026.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on April 3, 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, which operates in the field of ophthalmology pharmaceuticals. It has several trademark registrations for the trademark THEA such as the following:

- French Trademark Registration No. 94502704, registered on January 21, 1994;
- French Trademark Registration No. 3268573, registered on January 20, 2004; and
- International Trademark Registration No. 996576, registered on September 26, 2008.

It has many trademark registrations for the trademark THEA PHARMA such as the following:

- European Union Trademark Registration No. 15064711, registered on November 13, 2018; and
- French Trademark Registration No. 4376257, registered on July 13, 2017.

The Complainant operates its US website at “www.theapharmainc.com”.

The disputed domain name <theapharmaiinc.com>, registered on February 5, 2026, previously resolved to a parking page with pay-per-click (“PPC”) links. It currently resolves to an error page.

The disputed domain name <théapharmainc.com>, registered on February 5, 2026, previously resolved to a parking page with PPC links. It currently resolves to an error page.

The disputed domain name <theapharmaínc.com>, registered on February 2, 2026, previously redirected to the Complainant’s website for the US market. Since the takedown request by the Complainant, it has been resolved to an error page. It has also been used for sending fraudulent emails, impersonating the Complainant, for a job offering.

The disputed domain name <theapharmas.com>, registered on January 31, 2026, redirects to the Complainant’s website for the US market.

## **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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the Complainant’s trademarks THEA and THEA PHARMA as they reproduce THEA followed by the words “pharmas” or “pharma” or “ínc/inc” or “iinc”. The addition of the word “pharma”, which is the English short form for “pharmaceutical”, is insufficient to eliminate confusing similarity as it is a descriptive term and refers to the services offered by the Complainant. Also, the term “pharmas” is directly associated with the Complainant’s THEA and THEA PHARMA trademarks and business. The term “pharma” composes some of the Complainant’s trademarks. The addition of the term “ínc/inc” does not eliminate the likelihood of confusion as it is a common abbreviation for “incorporation”. The disputed domain name <theapharmaiinc.com> represents typosquatting of the Complainant’s US website. The disputed domain names <theapharmaínc.com> and <théapharmainc.com> are written using a Punycode, which does not eliminate the likelihood of confusion as held by prior UDRP decisions. Similarly, the addition of the letter “s” at the end of “pharma” does not reduce the risk of confusion. The generic Top-Level-Domain (gTLD) “.com” is irrelevant.

The Complainant contends that the Respondents have no rights or legitimate interests in respect of the disputed domain names. The Complainant never licensed, authorized, or otherwise permitted the Respondents to register the disputed domain names incorporating its trademarks nor is there any business activity between the Complainant and the Respondents. The Respondents are not known by the name “Thea” or “Thea Pharma”.

The disputed domain names were registered and are being used in bad faith. The disputed domain names were registered in bad faith. It is highly likely that the Respondents knew of the existence of the Complainant’s trademark because: a) the Complainant’s trademark has been in commerce since 1994; b) a simple search via Google or any other search engine using the keywords “Thea Pharma” demonstrates that nearly all results relate to the Complainant’s websites or business; c) the disputed domain names are confusingly similar, if not identical, to the Complainant’s trademarks, d) the Respondents have no rights or legitimate interests in the disputed domain names; and e) the registration of a well-known trademark especially together with the terms that refer to the Complainant’s business activity indicates bad faith.

The disputed domain names are being used in bad faith. The disputed domain name <theapharmaínc.com> and <theapharmas.com> redirect to the Complainant's website for the US market. The disputed domain names <théapharmainc.com> and <theapharmaínc.com> point to an error page since the takedown notice was sent. Also, mail exchange ("MX") servers have been activated in connection with the disputed domain names. The disputed domain name <theapharmaínc.com> is being used for phishing purposes as emails have been sent making job offers and impersonating an employee of the Complainant. The Respondents have concealed their identities when registering the disputed domain names.

## **B. Respondents**

The Respondents did not submit any formal reply to the Complainant's contentions. Instead, an email was sent on February 19, 2026 to the Complainant from the registrant of the disputed domain name <theapharmas.com> simply saying "not interested."

On March 11, 2026, an email was sent by a third party to the Center claiming identity theft.

## **6. Discussion and Findings**

### **Consolidation: Multiple Respondents**

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's consolidation request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

As regards common control, the Panel notes that the disputed domain names <theapharmaínc.com>, <theapharmas.com> and <théapharmainc.com> were registered by the same registrant. The disputed domain name <theapharmas.com> was registered by a nominally different registrant.

Further, the Panel notes that:

- 1) The composition of the disputed domain name <theapharmas.com> is similar to the other three disputed domain names, consisting of the Complainant's trademark THEA PHARMA and an additional letter "s";
- 2) The disputed domain name <theapharmas.com> was registered only a few days before the creation of the other disputed domain names;
- 3) The disputed domain name <theapharmas.com> redirects to the Complainant's website for the US market similarly to the previous use of the disputed domain name <theapharmaínc.com>;
- 4) All disputed domain names were registered with the gTLD ".com"; and
- 5) The disputed domain names were all registered using the names and contact details of third parties.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

### **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 names. [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 Panel finds the marks THEA and THEA PHARMA are recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Compared to the mark THEA PHARMA, although the addition of other terms here, “inc”, “iinc”, “fnc” or “s”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names 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 names. 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 names such as those enumerated in the Policy or otherwise. In its reply, the Respondent simply said “not interested”.

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.

In the present case, the Panel notes that:

- The disputed domain names were registered more than 30 years after the registration of the Complainant's THEA trademark;
- The disputed domain names incorporate the Complainant's trademarks THEA and THEA PHARMA in their entirety;
- The disputed domain name <theapharmaínc.com> previously redirected to the Complainant's US website and was used to send a fraudulent email, impersonating the Complainant, for a job offering; and
- The disputed domain name <theapharmas.com> redirects to the Complainant's US website.

Therefore, the Panel finds that the Respondent knew of the Complainant at the time of registration of the disputed domain names.

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.

In connection with the disputed domain names <theapharmaínc.com> and <theapharmas.com>, which at one time both redirected to the Complainant's US website, the Panel finds that by using the disputed domain names for redirection to the Complainant's official website, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's marks, which constitutes bad faith under paragraph 4(b)(iv) of the Policy. In addition, the disputed domain name <theapharmaínc.com> has also been used for sending fraudulent emails. Panels have held that the use of a domain name for illegitimate activity here, claimed, impersonating and phishing, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. The current non-use of the disputed domain name <theapharmaínc.com> does not change the Panel's finding of bad faith.

In connection with the disputed domain names <theapharmaínc.com> and <théapharmainc.com>, which at one time both resolved to parking pages with PPC links, the Panel finds that by using the disputed domain names for a parking website with PPC links, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online locations by creating a likelihood of confusion with the Complainant's marks. Such use constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy. Although both disputed domain names are no longer in active use, such change does not impact on the Panel's finding of bad faith.

Moreover, the Panel notes that the Respondent has registered four disputed domain names that incorporate the Complainant's marks, which indicates a pattern of targeting the Complainant and its marks, and further supports a finding of bad faith.

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 names <theapharmaínc.com>, <theapharmainc.com> (<xn--theapharmanc-1fb.com>), <théapharmainc.com> (<xn--thapharmainc-ceb.com>), and <theapharmas.com> be transferred to the Complainant.

*/Nayiri Boghossian/*

**Nayiri Boghossian**

Sole Panelist

Date: April 10, 2026