

ADMINISTRATIVE PANEL DECISION

Gilead Sciences, Inc. v. Domain Administrator, Fundacion Privacy Services LTD

Case No. D2026-0686

1. The Parties

The Complainant is Gilead Sciences, Inc., United States of America (“U.S.”), internally represented .

The Respondent is Domain Administrator, Fundacion Privacy Services LTD, Panama.

2. The Domain Name and Registrar

The disputed domain name <gileadadvancingaccess.com> is registered with Media Elite Holdings Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 17, 2026. On February 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 28, 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 March 2, 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 March 3, 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 March 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 25, 2026.

The Center appointed William Lobelson as the sole panelist in this matter on March 31, 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 Gilead Science, Inc., a U.S. corporation founded in 1987, involved in biopharmaceuticals. It counts among one of the largest medicine developers in the world.

Its trademark GILEAD has been used worldwide for over 30 years and is protected through numerous registrations, inter alia:

- GILEAD – U.S. Trademark Reg. No. 3251595, registered on June 12, 2007; and
- GILEAD – European Union Trademark (“EU”) Reg. No. 3913167, registered on November 7, 2005.

The Complainant also exploits the brand ADVANCING ACCESS, associated with its house mark GILEAD, in relation with a service dedicated to providing assistance to patients to obtain assistance with medication costs and understanding insurance coverage through a website that can be accessed with the domain name <gileadadvancingaccess.com>.

The trademark ADVANCING ACCESS is registered in the United States Patent and Trademark Office (“USPTO”) in the name of the Complainant, under Reg. No. 3265504, registered on July 17, 2007.

The disputed domain name was registered on January 20, 2020. It is directed to a web page that mimics an Apple support site, using the Apple trademark and logo, and displays an alert claiming that the user’s Apple ID was allegedly used on an adult entertainment website for a “\$149.99” charge. The message urges the user to call Apple Support at a given phone number.

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 confusingly similar to its earlier trademarks, that the Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name has been registered and used in bad faith.

In particular, the Complainant has substantiated that the disputed domain name has been used for phishing purposes.

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

Notwithstanding the default of the Respondent, it remains incumbent on the Complainant to make out its case in all respects under the Rules set out in paragraph 4(a) of the Policy. Namely, 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 (paragraph 4(a)(i));

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name (paragraph 4(a)(ii)); and

(iii) the disputed domain name has been registered and is being used in bad faith (paragraph (a)(iii)).

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 is the owner of two trademarks, namely GILEAD and ADVANCING ACCESS. 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 GILEAD is reproduced within the disputed domain name, while the mark ADVANCING ACCESS is recognizable therein, even though it is misspelled (a letter "c" is missing). Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7. and 1.9.

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 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 particularly by asserting that the Respondent is not affiliated with it in any way and that it has never authorized the Respondent to use its trademark as part of the disputed domain name. The Complainant contends that the Respondent does not make any bona fide or legitimate noncommercial fair use of the disputed domain name.

In addition, the disputed domain name has been used for a website to provide customer support in relation to a third party for apparently fraudulent purposes. Panels have held that the use of a domain name for

illegitimate activity, here likely phishing purposes, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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.

Based on the available record, 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) 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.

Examples of what may be cumulative circumstances found to be indicative of bad faith include the complainant having a well-known trademark, no response to the complaint having been filed, and the respondent's concealment of its identity. UDRP panels may draw inferences about whether a domain name has been used in bad faith given the circumstances surrounding the registration.

The Complainant has contended that its trademark GILEAD, which has been registered and used for years on a worldwide level, now benefits from a high level of public awareness. Earlier UDRP decisions have acknowledged the rights vested in the said trademark and the reputation thereof: *Gilead Sciences, Inc. v. Super Privacy Service LTD c/o Dynadot / Kolawole Feyisitan*, WIPO Case No. [D2020-3517](#); *Gilead Sciences, Inc. v. John Cuban, Gilead Online Pharmacy*, WIPO Case No. [D2020-1254](#).

In the present case, the Panel notes that the Respondent has registered a domain name formed with the association of two of the trademarks (save for a misspelling) owned by the Complainant. Considering the confusing similarity between the disputed domain name and the Complainant's trademarks and the Complainant's domain name <gileadadvancingaccess.com>, the Panel finds that the disputed domain names was registered in bad faith.

The evidence filed in support of the Complaint reflects that the disputed domain name is being used in bad faith. It is directed to a web page that mimics an Apple support site, using the Apple trademark and logo, and displaying an alert claiming that the user's Apple ID was allegedly used on an adult entertainment website for a "\$149.99" charge. The message urges the user to call Apple Support at a given phone number.

This is a fraudulent use of the disputed domain name, to deceive Internet users by inviting them to call a number as part of a potential phishing or other scam scheme. It is well accepted that use of a domain name to perpetuate fraud constitutes bad faith. [WIPO Overview 3.1](#), Section 3.4.

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 <gileadadvancingaccess.com> be transferred to the Complainant.

/William Lobelson/

William Lobelson

Sole Panelist

Date: April 8, 2026