ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Phoenix Children's Hospital, Inc. v. Idah Idah
Case No. D2026-1033

1. The Parties

The Complainant is Phoenix Children's Hospital, Inc., United States of America ("United States"), represented by Quarles & Brady LLP.

The Respondent is Idah Idah, Indonesia.

2. The Domain Name and Registrar

The disputed domain name <phoenixchilderens.com> is registered with Epik LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 10, 2026. On March 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 11, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 8, 2026.

The Center appointed Anna Carabelli as the sole panelist in this matter on April 13, 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 following facts are undisputed and are supported by the documents attached to the Complaint.

The Complainant, Phoenix Children's Hospital Inc., is a pediatric hospital founded in 1983 in Arizona. Previously operating within Good Samaritan Hospital, it became an independent specialized children's hospital in May 2002 and moved to its own building. Currently, the Complainant operates specialized care centers in Yuma and at other locations, where it provides services that include emergency care, pediatric care, and specialized medical services, to patients not only from Arizona but also from other states within the United States and abroad.

Over the years, the Complainant has received numerous accolades, including being ranked among the top pediatric hospitals in the United States by the United States News & World Report for fifteen consecutive years and being recognized among the top healthcare programs, leaders, and systems by Becker's Hospital Review.

The Complainant holds several registrations for the PHOENIX CHILDREN'S trademark, including:

- United States trademark PHOENIX CHILDREN'S No. 4,574,726, registered on July 29, 2014 (with a claim of first use on September 18, 1983), in International Classes 35, 42 and 44;

- United States trademark PHOENIX CHILDREN'S No.7,641,937 (figurative), registered on January 7, 2025 (with a claim of first use on March 16, 2022), in International Classes 35, 42 and 44;

- United States trademark PHOENIX CHILDREN'S HOSPITAL No. 3,787,343, registered on May 11, 2010, in International Classes 42 and 44; and

- United States trademark PHOENIX CHILDREN'S HOSPITAL No. 5,501,539, registered on June 26, 2018, in International Classes 42 and 44.

The Complainant also owns the domain names <phoenixchildrens.org> and <phoenixchildrens.com>: the former resolves to, and the latter redirects to the Complainant's official website which provides information about the Complainant and its services.

The disputed domain name was registered on February 10, 2026, and redirects to a third-party website displaying the logo "Health AndYou.org" and purporting to share healthcare information. The website hosted at the disputed domain name also displays advertisements as well as banners inviting users to search for information about medical services.

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 Complainant has acquired significant goodwill in connection with the PHOENIX CHILDREN'S mark, in which it holds both registered trademark rights and common law rights due to extensive and long-standing use dating back to 1983.

- The disputed domain name is confusingly similar to the Complainant trademark PHOENIX CHILDREN'S, since it consists of a misspelling of the Complainant's mark, where the term "children's" is misspelled as "childeren's".

- The Respondent has no rights or legitimate interests in the disputed domain name since: (i) the Complainant has not authorized or somehow given consent to the Respondent to register and use the disputed domain name; (ii) the Respondent is not commonly known by the disputed domain name; and (iii) the Respondent's use of the disputed domain name is neither a bona fide offering of goods or services nor a legitimate noncommercial or fair use.

- The disputed domain name was registered and is being used in bad faith. The composition of the disputed domain name (consisting of a misspelling of the Complainant's PHOENIX CHILDREN'S trademark) indicates that the Respondent registered it having in mind the Complainant's mark and reflects the Respondent's clear intention to create an association with and take advantage of the Complainant's widely known trademark. The Respondent use of the disputed domain name to redirect users to a third-party website constitutes bad faith.

- The Complainant further contends that the Respondent is a serial cybersquatter with a pattern of bad faith registration and use, who lost several prior UDRP proceedings under the Policy. As detailed in the decisions specifically cited in the Complaint, in at least eight of these cases, the relevant disputed domain name constitutes typosquatting.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to decide the Complaint based on the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

Under paragraph 4(a) of the Policy, the Complainant must prove each of the following:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
(iii) the disputed domain name has been registered and is being used in bad faith.

Paragraph 4(b) of the Policy sets out four illustrative circumstances, which for the purposes of paragraph 4(a)(iii) of the Policy, shall be evidence of registration and use of a domain name in bad faith.

Paragraph 4(c) of the Policy sets out three illustrative circumstances any one of which, if found by the Panel, shall be evidence of the Respondent's rights to or legitimate interests in a disputed domain name for the purposes of paragraph 4(a)(ii) of the Policy above.

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 Complainant relies on previous UDRP decisions recognizing as confusingly similar and/or virtually identical the use of terms that are a slight variation from a registered mark (*Reuters Ltd. v. Global Net 2000, Inc.* WIPO Case No. D2000-0441); *Fuji Photo Film U.S.A., Inc. v. LaPorte Holdings*, WIPO Case D2004-0971; *Universal City Studios Inc. v. HarperStephens*, WIPO Case No. D2000-0716; *Staples Inc, Staples Contract & Commercial Inc., Staples, The Office Superstore Inc. v. John Sansone*, WIPO Case No. D2005-0018).

In the present case, the entirety of the mark is reproduced within the disputed domain name. The disputed domain name is virtually identical to the Complainant's PHOENIX CHILDREN'S trademark except for the addition of a letter "e" between the letters "d" and "r" in the word "children". In the Panel's view this is an example of an intentional misspelling of a trademark and a typical case of typo squatting.

It is well established, and the Panel agrees, that typo squatting domain names are intended to be confusing and can constitute confusing similarity. WIPO Overview 3.1, section 1.9.

Accordingly, The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark.

The addition of the Top-Level Domain ("TLD"), such as ".com", is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. 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.

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 Complainant confirmed that it had not authorized or otherwise given the Respondent permission to use the disputed domain name. There is no evidence that the Respondent has been commonly known by the disputed domain name or has registered or common law trademark rights in relation to this name.

In the circumstances, the Panel considers it likely that the Respondent registered the disputed domain name, as a misspelling of the Complainant's trademark, to trade off the Complainant's reputation. As previous panels have found, typosquatting does not constitute a legitimate use of the disputed domain name (see,

e.g., *Edmunds.com, Inc. v. Yingkun Guo, dba This domain is 4 sale*, WIPO Case No. D2006-0694; *Barnes & Noble College Bookstores, Inc. v. Oleg Techino*, WIPO Case No. D2006-1537; *ZB, N.A. v. Domains By Proxy, LLC / Carolina Rodrigues, Fundacion Comercio Electronico,* WIPO Case No. D2018-1959).

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 Complainant's PHOENIX CHILDREN'S mark had been widely used and registered long before the Responded registered the disputed domain name incorporating a misspelling of the Complainant's trademark. The Respondent knew or at least should have known about the Complainant's trademark when registering the disputed domain name. Moreover, the content of the website hosted at the disputed domain name, which contains purported health information (i.e., the same type of information that consumers would expect to find when accessing the Complainant's website), indicates both the Respondent's actual knowledge of the Complainant's rights and the Respondent's intention to take unfair advantage of those rights

The above conduct constitutes bad faith registration and use of the disputed domain name under the Policy.

Moreover, the Respondent has a history of registering domain names that contain misspellings of registered trademarks. The foregoing further supports the finding of registration and use in bad faith.

The Panel finds that the Complainant has established also 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 <phoenixchilderens.com> be transferred to the Complainant.

/Anna Carabelli/
Anna Carabelli
Sole Panelist
Date: April 22, 2026