

ADMINISTRATIVE PANEL DECISION

bioMérieux v. Andrii Voronin
Case No. D2026-1092

1. The Parties

Complainant is bioMérieux, France, represented by Plasseraud IP Avocats, France.

Respondent is Andrii Voronin, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <biomerieux.one> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 13, 2026. On March 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 16, 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 (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to Complainant on March 16, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on March 19, 2026.

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 Respondent of the Complaint, and the proceedings commenced on March 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on April 30, 2026.

The Center appointed Marina Perraki as the sole panelist in this matter on April 30, 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. Further Procedural Considerations

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition. Noting that Respondent's disclosed location appears to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue. Having considered all the circumstances of the case, the Panel is of the view that it should. The Panel has reached this conclusion in part due to Respondent's apparent awareness of the proceeding and control over the disputed domain name. Further to the Rules, the Center transmitted the Written Notice of the Complaint to both the named Privacy Service and Respondent. The Center also sent the Notification of Complaint by email to Respondent at its email address as registered with the Registrar and to a postmaster email address as specified by the Rules. There is no evidence that the case notification email to the disclosed Respondent email address was not successfully delivered.

It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that Respondent registered and has used the disputed domain name in bad faith. The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceeding takes place with due expedition the Panel will proceed to a Decision accordingly. Last, given the apparently false identity and contact information in the WHOIS as is analytically explained under the third element below, as well as the fact that the website under the disputed domain name is in Indonesian, the Panel has serious doubts that Respondent's location is indeed in Ukraine.

5. Factual Background

Complainant is a French multinational company specialized in healthcare and biotechnology. It is listed on the NYSE Euronext Paris Stock exchange. It was founded in 1963 and serves more than 160 countries, maintaining 43 subsidiaries around the world. Its expertise in the field of in vitro diagnostics spans over 60 years, with EUR 4.0 billion in sales.

Complainant owns trademark registrations for BIOMERIEUX, including the International Trademark registration no. 933598, BIOMERIEUX (word), registered on June 12, 2007 for goods in international classes 1, 5, 9 and 10, under priority of the French trademark registration n° 06 3 470 357 dated June 1, 2007, designating, inter alia, Ukraine.

Complainant also owns domain name registrations, including the domain name <biomerieux.com> registered on May 31, 1996, under which it operates its main website, and the domain name <biomerieux.net> registered on October 20, 2000.

The disputed domain name was registered on January 29, 2026 and leads to a website in Indonesian which includes portrait photographs and posts in relation to mental health and well-being (the Website). The Website on its landing page contains a form that requests the user to fill in and provide personal information. Furthermore, mail exchange (MX) records have been configured on the disputed domain name.

Complainant sent a cease-and-desist letter to Respondent to which Respondent did not reply.

6. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

B. Respondent

Respondent did not reply to Complainant's contentions.

7. Discussion and Findings

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the disputed domain name:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and

(ii) 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.

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.

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 identical to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

The generic Top-Level Domain ("gTLD") ".one" is disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons (*Rexel Developpements SAS v. Zhan Yequn*, WIPO Case No. [D2017-0275](#); *Hay & Robertson International Licensing AG v. C. J. Lovik*, WIPO Case No. [D2002-0122](#)).

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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

On the contrary, as Complainant demonstrated, the disputed domain name resolves to the Website which is largely related to the field of Complainant, namely health and in particular mental health and on its landing page requests personal information from users. The Panel considers that use of the disputed domain name in connection with a website that likely attempts to fish personal information from users does not confer any rights or legitimate interests on Respondent.

Panels have held that the use of a domain name for illegal activity, here, claimed phishing, passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Furthermore, the composition of the disputed domain name, which is identical to Complainant’s distinctive trademark, combined with the fact that the Website at the disputed domain name concerns largely themes in the field of business of Complainant, namely health, create a risk of Internet user confusion.

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.

The Panel concludes that Respondent has registered and used the disputed domain name in bad faith. Because the BIOMERIEUX mark had been widely used and registered at the time of the disputed domain name registration by Respondent and enjoyed reputation, as repeatedly acknowledged (see, for example, *bioMérieux v. Domain Admin, Media Matrix LLC*, WIPO Case No. [D2023-0847](#)) the Panel finds it more likely than not that Respondent had Complainant’s mark in mind when registering the disputed domain name (*Tudor Games, Inc. v. Domain Hostmaster, Customer ID No. 09382953107339 dba Whois Privacy Services Pty Ltd / Domain Administrator, Vertical Axis Inc.*, WIPO Case No. [D2014-1754](#); *Parfums Christian Dior v. Javier Garcia Quintas and Christiandior.net*, WIPO Case No. [D2000-0226](#)). This also takes into account the content of the Website which likely attempts to create a risk of affiliation with Complainant.

As regards bad faith use of the disputed domain name, Complainant has demonstrated that the disputed domain name is used to resolve to the Website, which includes content in the field of human health, giving the false impression that it is operated by Complainant or is affiliated to Complainant, taking also into account that the disputed domain name is identical to Complainant’s trademark and that Complainant’s trademark is distinctive and enjoys reputation.

The disputed domain name is therefore used to intentionally create a likelihood of confusion with Complainant's trademark and business as to the source, sponsorship, affiliation, or endorsement of the Website. This can be used to conclude bad faith registration and use ([WIPO Overview 3.1](#), section 3.1.4).

Furthermore, on its landing page the Website asks users to provide personal information. Panels have held that the use of a domain name for illegal activity, here, claimed phishing, passing off, or other types of fraud constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

In addition, as Complainant demonstrated, Respondent has provided false WHOIS contact and identity information: a) the zip code communicated by Respondent "28200" is not the one for the city of Kamiiianets, where he declared himself located but for the Ukrainian city of Novhorodka, b) the postal address provided ("Kvitneva Street, 87") does not seem to exist in the city of Kamiiianets, c) the email address does not match the name of the registrant name provided "Andrii Voronin" and d) the area code of the communicated phone number (+1) is for the United States of America and not for Ukraine which is +380.

The Panel also notes a) that the Website is in Indonesian and the disputed domain name and Complainant's trademark are words in French, b) that Respondent had hidden his identity and contact information through a privacy service, and c) that MX records have been set up on the disputed domain name, showing that Respondent may use the disputed domain name actively in the future for email correspondence, all of which further support a finding of bad faith.

The Panel finds that Complainant has established the third element of the Policy.

8. 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 <biomerieux.one> be transferred to Complainant.

/Marina Perraki/

Marina Perraki

Sole Panelist

Date: May 14, 2026