

ADMINISTRATIVE PANEL DECISION

Neurocrine Biosciences, Inc. v. Jonen Boteda
Case No. D2026-1128

1. The Parties

The Complainant is Neurocrine Biosciences, Inc., United States of America ("United States"), represented by Fross Zelnick Lehrman & Zissu, PC, United States.

The Respondent is Jonen Boteda, United States.

2. The Domain Name and Registrar

The disputed domain name <neurocrine.buzz> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 16, 2026. On March 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 18, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 19, 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 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 the Respondent of the Complaint, and the proceedings commenced on March 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 16, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 17, 2026.

The Center appointed Dennis A. Foster as the sole panelist in this matter on April 23, 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 began business in 1992 based in California and providing pharmaceutical services around the world using its NEUROCRINE trademark which is registered in many jurisdictions worldwide, including the United States Patent and Trademark Office ("USPTO"), registration no. 5,762,522; registration date May 28, 2019, international class 42 for research and development for pharmaceuticals and biotechnology.

The Complainant also owns NEUROCRINE International trademark registration no. 1468022, registration date April 12, 2019, international class 05 for pharmaceutical preparations for human use, and 42 for research and development for pharmaceuticals and biotechnology.

Roughly 2,000 employees now work for the Complainant. The Complainant's primary website is at the domain name <neurocrine.com>, but it has many other domain names and is active on social media with, for example, close to 100,000 followers on LinkedIn. The Complainant presents at international pharmaceutical conferences and publishes in prominent publications in its field as well as more generalist publications such as the New York Times and Forbes.

The Respondent owns the disputed domain name <neurocrine.buzz> which was registered on December 31, 2025. The disputed domain name has always been inactive.

5. Parties' Contentions

A. Complainant

- Through its use and registration of the NEUROCRINE mark for more than three decades, the Complainant has created ample goodwill for its mark and exclusive association with it.
- The disputed domain name, <neurocrine.buzz>, was created after the Complainant began using, and secured registration for, its NEUROCRINE trademark throughout the world. There is no relationship between the Complainant and the Respondent that would give rise to any license or authorization to use the Complainant's mark for any purpose.
- The disputed domain name does not resolve to an active website and does not appear to ever have been so connected.
- The disputed domain name is identical to the Complainant's registered NEUROCRINE mark, save for the ".buzz" generic Top-Level Domain ("gTLD"). As there is no connection between the Complainant and the Respondent, and the disputed domain name has never been in use, the Respondent possesses no rights or legitimate interests in the disputed domain name.
- The Complainant's NEUROCRINE service mark enjoys widespread international recognition, and therefore it is inconceivable that the Respondent was unaware of that mark when registering the disputed domain name. Given that awareness and the current nonuse of the disputed domain name, the Panel must conclude that it was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

Pursuant to Policy paragraphs 4(a)(i), (ii), and (iii), the Panel may render a decision for the Complainant and grant a transfer of the disputed domain name, if the Complainant shows that:

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

A. Identical or Confusingly Similar

Given that the Complainant has shown above that it registered the NEUROCRINE trademark with the USPTO, the Panel concludes that the Complainant has satisfied the requirements of Policy paragraph 4(a)(i) with respect to that mark. WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition ("[WIPO Overview 3.1](#)"), section 1.2.1.

The Panel notes that the entirety of the NEUROCRINE mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the Complainant's NEUROCRINE mark. The addition of the ".buzz" gTLD is inconsequential with respect to the Panel's determination that the disputed domain name is identical to the Complainant's mark. [WIPO Overview 3.1](#), section 1.11.1. And see *Sandals Resorts International 2000 Inc. v. Annette Soucy, WWW Realty*, WIPO Case No. [D2025-3265](#) (finding <sandals.buzz> to be identical to the SANDALS trademark).

Consequently, the Panel finds that the Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under the Policy, the burden of proving that a respondent lacks rights or legitimate interests in a disputed domain name is on a complainant. However, given the difficulty of "proving a negative", if a complainant sustains a prima facie case that a respondent lacks rights or legitimate interests in the disputed domain name, the burden of production shifts to the respondent to present convincing evidence of such rights or legitimate interests. [WIPO Overview 3.1](#), section 2.1. See *Wal-Mart Stores, Inc. v. WalMart Careers, Inc.*, WIPO Case No. [D2012-0285](#) ("According to the consensus view of UDRP Panels, if such prima facie case is made, the burden of production shifts to the Respondent to come forward with appropriate allegations or evidence demonstrating rights or legitimate interests in the disputed domain name.").

The Panel has determined that the Complainant has established that the disputed domain name is identical to the Complainant's trademark, and the Complainant has contended that it has neither authorized nor licensed the Respondent to use that mark in any manner. As a result, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. [WIPO Overview 3.1](#), section 2.1.

Since the Respondent failed to file a response, the Panel will rely on the reasonable contentions in the Complaint to assess whether there is a credible rebuttal to the Complainant's prima facie case. See *OSRAM GmbH. v. Mohammed Rafi/Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org*, WIPO Case No. [D2015-1149](#) ("The Respondent has not submitted a response to the Complaint, in the absence of which the Panel may accept all reasonable inferences and allegations in the Complaint as true.")

In the present case, as the disputed domain name has never been connected with a functioning website, the Panel concludes that the Respondent has failed to use the disputed domain name in connection with a bona fide offering of goods or services pursuant to paragraph 4(c)(i) of the Policy. Furthermore, since there is no evidence in the record to suggest that the Respondent, Jonen Boteda, has been commonly known by the

disputed domain name either as an individual or a business, the Panel determines that Policy paragraph 4(c)(ii) also does not apply in this case. Finally, also in line with non-use of the disputed domain name, the Panel finds that Policy paragraph 4(c)(iii), calling for “a noncommercial or fair use” of the disputed domain name, is inapplicable as well.

Therefore, the Panel finds that the Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith

While paragraph 4(b) of the Policy sets forth a list of four non-exhaustive circumstances that may lead to a finding that a disputed domain name was registered and used in bad faith, those circumstances refer to actions taken by a respondent or business consequences absorbed by a complainant due to the disputed domain name registration. In light of the passive holding of the disputed domain name in the present case, the Panel cannot directly apply any of the Policy paragraph 4(b) circumstances to this case. However, prior panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3; see also *Telstra Corporation Limited v. Nuclear Marshmallows*, WIPO Case No. [D2000-0003](#) (“[...] the point is that paragraph 4(b) recognises that inaction (e.g. passive holding) in relation to a domain name registration can, in certain circumstances, constitute a domain name being used in bad faith.”).

In the present case, the Panel has determined that the Complainant’s NEUROCRINE mark, which has been in use worldwide for decades, is distinctive and well-known among those in the pharmaceutical field. Further on, the Panel notes that the Respondent has equipped the disputed domain name with mail exchange capability. In addition, given that the entirety of the Complainant’s NEUROCRINE mark is reproduced within the disputed domain name, and given the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, the Panel concludes, in light of the circumstances of the current case, that there is no overall plausibility of any good faith use to which the disputed domain name may be put. Therefore, the Panel finds that the passively held disputed domain name was registered and is being used in bad faith.

Consequently, the Panel finds that the Complainant has satisfied 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, <neurocrine.buzz>, be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: May 7, 2026