

ADMINISTRATIVE PANEL DECISION

CVS Pharmacy, Inc. v. Fatima Garza
Case No. D2026-1138

1. The Parties

The Complainant is CVS Pharmacy, Inc., United States of America ("United States" or "U.S."), represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States.

The Respondent is Fatima Garza, United States.

2. The Domain Name and Registrar

The disputed domain name <cvshealthsinfo.com> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 17, 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 17, 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 (User #c7576c4c Privacy, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 18, 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 19, 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 20, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 9, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 17, 2026.

The Center appointed William F. Hamilton as the sole panelist in this matter on April 27, 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 one of the largest corporations in the United States. The Complainant reported annual revenue of USD 401.1 billion for 2025. The Complainant operates thousands of retail pharmacy locations across the United States and provides health care services through its subsidiary brands.

The Complainant holds trademark registrations for marks consisting of or incorporating CVS and CVS HEALTH in dozens of jurisdictions worldwide. In the United States, these registrations include:

- U.S. Registration No. 919,941 for CVS (registered September 7, 1971),
- U.S. Registration No. 1,698,636 for CVS (registered July 7, 1992),
- U.S. Registration No. 1,904,058 for CVS (registered July 11, 1995),
- U.S. Registration No. 5,055,141 for CVS HEALTH (registered October 4, 2016), and
- U.S. Registration No. 5,402,010 for CVS HEALTH (registered February 13, 2018).

These registrations are collectively referred to in this decision as the “CVS trademarks”. The CVS trademarks have been in continuous use for more than 63 years and are protected by numerous registrations in dozens of jurisdictions worldwide.

The Complainant is the registrant of the domain names <cv.com> and <cvsh.com>.

The disputed domain name <cvshhealth.com> was registered on February 25, 2026. The disputed domain name is not associated with an active website. The Respondent has configured MX records for the disputed domain name.

5. Parties’ Contentions

A. Complainant

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

The Complainant contends that the disputed domain name is identical or confusingly similar to the well-known CVS trademarks. The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name was registered and is being used in bad faith. The Complainant contends the disputed domain name prominently adopts the Complainant’s CVS trademarks and that the Respondent was clearly aware of the trademarks when registering the disputed domain name. The Complainant additionally contends that the Respondent’s configuration of MX records for the disputed domain name gives rise to a strong inference that the Respondent intended or intends to use the disputed domain name to send emails as part of a fraudulent phishing scheme.

B. Respondent

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

6. Discussion and Findings

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 demonstrated rights in the CVS trademarks through numerous registrations in the United States and in dozens of jurisdictions worldwide as set out in the Factual Background above.

The disputed domain name <cvshealthsinfo.com> incorporates the CVS trademarks in their entirety. The generic Top-Level Domain ("gTLD") ".com" is disregarded as a standard registration requirement. [WIPO Overview 3.1](#), section 1.11. The second-level domain "cvshealthsinfo" combines the Complainant's CVS and CVS HEALTH marks with the addition of the letter "s" and the word "info". Neither addition avoids a finding of confusing similarity. The addition of the letter "s" does not prevent a finding of confusing similarity between the disputed domain name and the CVS trademarks, as panels have consistently found that such an addition is typically considered as a variation of the trademark, and is considered to be confusingly similar to the relevant mark for purposes of the first element. Similarly, the word "info", a common abbreviation for "information", does not prevent a finding of confusing similarity where, as here, the relevant trademark is clearly recognizable within the disputed domain name. [WIPO Overview 3.1](#), sections 1.8 and 1.9.

The Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights. 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.

The Complainant has not authorized the Respondent to use the Complainant's CVS trademarks. The Respondent is not commonly known by the disputed domain name, nor does any evidence in the record suggest otherwise. The Respondent is not making a bona fide offering of goods or services in connection with the disputed domain name within the meaning of paragraph 4(c)(i) of the Policy. Nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain name within the meaning of paragraph 4(c)(iii) of the Policy. The disputed domain name does not resolve to an active website, and such a passive use does not establish rights or legitimate interests in the disputed domain name under the circumstances of this case.

Having reviewed the available record, the Panel finds that 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 that 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 Panel finds that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances that may indicate that a domain name was registered and used in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

The Panel finds that the Respondent registered the disputed domain name with knowledge of the Complainant and its well-known CVS trademarks. Previous panels have described the CVS trademarks as “widely known in many countries,” e.g. *Aetna Inc. and CVS Pharmacy, Inc. v. James*, WIPO Case No. [D2018-0796](#), and have referred to its “reputation and fame,” *Aetna Inc., CVS Pharmacy, Inc. v. Chang Jiang Li, Li Chang Jiang*, WIPO Case No. [D2018-0795](#). Given the global reach and extraordinary public recognition of the CVS trademarks, it is inconceivable that the Respondent registered the disputed domain name without awareness of the Complainant and its marks. The registration of a domain name that is confusingly similar to the Complainant’s well-known trademarks, without authorization and without any plausible legitimate purpose, supports a finding of bad faith registration. [WIPO Overview 3.1](#), section 3.1.4.

The disputed domain name is not associated with an active website. The Panel finds, however, that the Respondent’s passive holding of the disputed domain name does not prevent a finding of bad faith use. Panels have long recognized that the non-use of a domain name, including a blank or inactive page, does not by itself preclude a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. In assessing the totality of the circumstances, the Panel notes the considerable distinctiveness and reputation of the CVS trademarks, the Respondent’s initial concealment of its identity behind a privacy service, and the complete absence of any plausible good faith use to which the disputed domain name could be put. No legitimate purpose is apparent from the record, and none has been offered by the Respondent.

The Panel further finds that the Respondent’s configuration of MX records for the disputed domain name is an additional indicator of bad faith. The establishment of MX records enables the disputed domain name to be used to send and receive email, giving rise to a strong inference that the Respondent intended or intends to use the disputed domain name in connection with a fraudulent phishing scheme, potentially impersonating the Complainant in email communications. The combination of the disputed domain name that is confusingly similar to a well-known health care brand, an inactive website, and an active mail server configuration presents a pattern consistent with the type of bad faith that the Policy is designed to address.

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

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 <cvshealthsinfo.com> be transferred to the Complainant.

/William F. Hamilton/

William F. Hamilton

Sole Panelist

Date: May 11, 2026