

## **ADMINISTRATIVE PANEL DECISION**

### **Gilead Sciences, Inc. v. CHADHA STATIONERS**

#### **Case No. D2026-1344**

#### **1. The Parties**

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

The Respondent is CHADHA STATIONERS, India.

#### **2. The Domain Name and Registrar**

The disputed domain name <gileadsciencesindiaprivatelimited.shop> is registered with GoDaddy.com, LLC (the “Registrar”).

#### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 27, 2026. On March 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 31, 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 31, 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 April 1, 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 April 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 28, 2026.

The Center appointed Miguel B. O’Farrell 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. Factual Background**

The Complainant founded in 1987 in Foster City, California, United States, is one of the largest biopharmaceutical companies in the world. The Complainant discovers, develops and commercializes innovative medicines in areas of unmet medical need.

The Complainant is a member of the S&P 500 and employs approximately 18,000 individuals worldwide. In 2025, the Complainant's total worldwide revenue was approximately USD 29.4 billion.

The Complainant owns exclusive rights to the GILEAD and GILEAD SCIENCES trademarks worldwide secured by over 230 trademark registrations around the world and through ongoing use, including the following:

- GILEAD – United States Registration No. 3,251,595, registered on June 12, 2007 covering “pharmaceutical preparations, namely, antivirals, antifungals and preparations for the treatment of infectious conditions” in Class 5;
- GILEAD SCIENCES – United States Registration No. 1,611,838, registered on September 4, 1990 covering “pharmaceutical preparations for the treatment of viral diseases, such as AIDS, herpes, and human papilloma virus, and cancers, for professional medical use” in Class 5 and
- GILEAD SCIENCES – Mexico Registration No. 462911, registered on June 9, 1994, covering “pharmaceutical, veterinary, sanitary substances; infants and invalids foods; plasters material for bandaging; material for stopping teeth, dental wax, disinfectants; preparations for killing weeds and destroying vermin; especially pharmaceuticals for treatment and/or prevention of infectious diseases, cardiovascular and inflammatory conditions, degenerative disorders, and cancer” in Class 5.

The Complainant is the owner of the domain name <gilead.com>, registered on May 27, 1995 and used since as early as 1997 in connection with the Complainant's pharmaceutical products and related medical services and is also the owner of more than 350 domains that incorporate its GILEAD and GILEAD SCIENCES trademarks.

The disputed domain name was registered on March 1, 2026 and resolved to a website presenting itself as a global pharmaceutical company purportedly based in New Delhi, India. The website claimed decades of experience in pharmaceutical innovation, and delivered COVID-19 treatments worldwide, but provides no verifiable details regarding its corporate identity, regulatory approvals, products, leadership, or operations.

#### **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 Respondent has cybersquatted on the disputed domain name containing the well-known and famous GILEAD and GILEAD SCIENCES trademarks for some illegitimate purposes, potentially including diverting traffic from the Complainant's official website, impersonating the Complainant in deceptive communications with third parties, and collecting data from website visitors or patients via a contact form in a possible phishing scheme or other scam.

The Complainant requests the Panel to issue a decision ordering the transfer of the disputed domain name to the Complainant.

##### **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 shown rights in respect of trademarks or service marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the marks are reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

[Although the addition of other terms here, "india", "private", "limited" may bear on assessment of the second and third elements, the Panel finds the addition of such terms do not prevent a finding of confusing similarity between the disputed domain name and the marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The generic Top-Level domain (gTLD) ".shop" will be disregarded by the Panel in the 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.

Moreover, even where a domain name consists of a trademark combined with an additional term, UDRP panels have found that such composition does not constitute fair use where it carries a risk of implied affiliation. In the present case, the inclusion of the geographic term "India" in the disputed domain name may be perceived as suggesting that the Respondent is an official regional branch of the Complainant. 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.

The Panel is satisfied that the Respondent must have been aware of the Complainant's well known trademarks GILEAD and GILEAD SCIENCES when it registered the disputed domain name on March 1, 2026.

In accordance with section 3.1.4 of the [WIPO Overview 3.1](#), the Panel considers that the inclusion of the Complainant's widely known trademarks in the disputed domain name, by the Respondent who has no relationship with the Complainant, creates a presumption of bad faith registration.

The Respondent, when registering the disputed domain name, targeted the Complainant's business and its trademarks, with the intention to confuse Internet users and capitalize on the fame of the Complainant's GILEAD and GILEAD SCIENCES trademarks for its own benefit.

The inclusion of the terms "India", "private" and "limited" in the disputed domain name only tend to strengthen the confusion of Internet consumers leading them to think that the website to which the disputed domain name resolves belongs to the Complainant and relates to the business of the Complainant in India, which is not the case.

The fact that there is an absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name is also a significant factor that contributes to the finding that the disputed domain name was registered in bad faith (as stated in section 3.2.1 of the WIPO Overview 3.1).

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <gileadsciencesindiaprivatelimited.shop> be transferred to the Complainant.

*/Miguel B. O'Farrell/*

**Miguel B. O'Farrell**

Sole Panelist

Date: May 2, 2026