

## **ADMINISTRATIVE PANEL DECISION**

**BİLİM İLAÇ SANAYİİ VE TİCARET ANONİM ŞİRKETİ v. ROhan Desai,  
BILIM PHARMACEUTICALS**

Case No. D2026-1384

### **1. The Parties**

The Complainant is BİLİM İLAÇ SANAYİİ VE TİCARET ANONİM ŞİRKETİ, Türkiye, represented by TRADEPARK ULUSLARARASI DANIŞMANLIK LTD.STİ, Türkiye.

The Respondent is ROhan Desai, BILIM PHARMACEUTICALS, India.

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

The disputed domain name <bilimpharmaceutical.com> is registered with Hostinger Operations, UAB (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 1, 2026. On April 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 2, 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 Protection Provided by Hostinger) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 2, 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 April 7, 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 April 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 1, 2026.

The Center appointed John Swinson as the sole panelist in this matter on May 8, 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 a Turkish pharmaceutical company established in 1953.

The Complainant is a leading company in the Turkish pharmaceutical sector and one of the largest domestic producers of generic drugs. The Complainant has the largest production facility in Türkiye. It carries out its production in two separate facilities. The production facility in Çerkezköy, Istanbul, is approved by the German Ministry of Health, and the production facility in Gebze is designed according to American Food and Drug Administration standards.

The Complainant uses two domain names, being <bilimilac.com.tr> and <bilimilac.com>.

The term “İlaç” in the Complainant’s name translates as “medicine/pharmaceuticals” in English.

The Complainant owns a portfolio of trademark registrations for BİLİM, including Türkiye trademark registration number 116495 that was registered on March 26, 1990.

The disputed domain name was registered on May 9, 2024.

The Respondent did not file a Response, so little information is known about the Respondent. According to the Registrar’s records, the Respondent has an address in India.

The website at the disputed domain name gives the impression that it is the Complainant’s website. It includes information about generic pharmaceutical manufacturing and includes the Complainant’s address. The website includes a copyright notice dated 2021.

The Complainant alleges, but provides not evidence to support these allegations, that the Respondent is “using the disputed domain name for a phishing scheme in an attempt to defraud the Complainant’s suppliers”.

#### **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’s BİLİM mark is longstanding and well-known in the pharmaceuticals industry. The Respondent has used the disputed domain name for a copy-cat website to impersonate the Complainant. The website at the disputed domain name includes the address of the Complainant in Istanbul.

Moreover, the Respondent is using the disputed domain name for a phishing scheme in an attempt to defraud the Complainant’s suppliers.

##### **B. Respondent**

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

## 6. Discussion and Findings

To succeed, the Complainant must demonstrate that all of the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- (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.

The onus of proving these elements is on the Complainant.

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

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

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.

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

The Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

Generally speaking, a finding that a domain name has been registered and is being used in bad faith requires an inference to be drawn that the Respondent in question has registered and is using the disputed domain name to take advantage of its significance as a trademark owned by (usually) the Complainant.

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.

In the present case, the Panel notes that the Respondent has established a website that impersonates the Complainant. The Complainant asserts that the website and the disputed domain name is used as part of a phishing scheme in an attempt to defraud the Complainant's suppliers.

Clearly, the Respondent is aware of the Complainant.

It is also clear to the Panel that the disputed domain name was used to target the Complainant's mark and its business operations. The composition of the disputed domain name, incorporating the Complainant's mark plus the word "pharmaceutical" (which is an English translation of part of the Complainant's name) is likely to create confusion as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. For these reasons, bad faith registration and use is clear. *RealPage Utility Management Inc. v. Alan Brilliant*, WIPO Case No. [D2025-0317](#).

Panels have held that the use of a domain name for illegitimate activity such as passing off constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. 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 <bilimpharmaceutical.com> be transferred to the Complainant.

*/John Swinson/*

**John Swinson**

Sole Panelist

Date: May 17, 2026