

ADMINISTRATIVE PANEL DECISION

AGFA-GEVAERT N.V. v. Domain Administrator

Case No. D2026-1438

1. The Parties

The Complainant is AGFA-GEVAERT N.V., Belgium, represented by Novagraaf Belgium NV/SA, Belgium.

The Respondent is Domain Administrator, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <agfahealthcarecareers.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 April 3, 2026. On April 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 7, 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 (Name: Privacy User #b903b17a Organization: See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 10, 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 15, 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 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 15, 2026.

The Center appointed Uwa Ohiku as the sole panelist in this matter on May 20, 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, whose roots date back to 1867, is a multinational corporation headquartered in Belgium, with international operations in over 40 countries. It is a global provider of imaging systems and IT solutions, serving healthcare, printing and industrial markets.

The Complainant is the registered owner of several trademarks including the following: International Trademark No. 608334 for AGFA, registered on September 25, 1993; European Union Trademark Registration No. 003353463 for AGFA, registered on January 24, 2005, and European Union Trademark Registration No. 016044059 for AGFA HEALTHCARE, registered on March 22, 2017.

The Complainant is the registrant of numerous domain names, including <agfahealthcare.com>.

The disputed domain name <agfahealthcarecareers.com> was registered on March 23, 2026, and it resolved to a parked page at the moment of filing of the complaint. Such website is currently inactive.

The Respondent appears to be located in the United States.

According to evidence provided, the Complainant sent a Cease & Desist email to the Respondent on April 1, 2026, requesting the cessation of any infringing use and the transfer of the disputed domain name. There was no response to that request.

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. The Complainant supports its contentions with copious evidence by way of several annexures, references to previous UDRP Panel decisions and citing sections of the Rules, the Policy and the WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), to buttress its contentions.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to "decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any other rules and principles of law that it deems applicable".

The Respondent did not file any response to the Complainant's assertions, but this does not absolve the Complainant of the onus of establishing all three elements enumerated in paragraph 4(a) of the Policy for a transfer of the disputed domain name and the Panel must verify that all three elements are indeed established. [WIPO Overview 3.1](#), section 4.3. The Panel may also carry out limited independent research in discharging its responsibility, under the general powers of the Panel, amongst others, specified in paragraph 10 of the Rules.

A. Identical or Confusingly Similar

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.

A comparison between the Complainant's trademark and the disputed domain name shows that the entirety of the Complainant's mark is reproduced and recognizable 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.

The addition of the term "careers" does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's marks AGFA and AGFA HEALTHCARE for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8. Further, the generic Top-Level Domain ("gTLD") ".com" is disregarded when assessing confusing similarity, as this is a standard registration requirement.

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. The Respondent was procedurally given notice of this Complaint and an opportunity to come forward to refute the Complainant's allegations but failed to do so. In instances of this nature, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record and the preponderance of evidence in support of the Complainant's contentions, 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 any of the Complainant's contentions or come forward with any relevant evidence such as enumerated in the Policy or otherwise, to demonstrate rights or legitimate interests in the disputed domain name.

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

C. Registered and Used in Bad Faith

For the purposes of paragraph 4(a)(iii) of the Policy, 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 making this assessment as well. [WIPO Overview 3.1](#), section 3.2.1.

The Panel has reviewed the evidence provided by the Complainant in support of its contentions and conducted limited checks and the Panel concludes that it is highly unlikely that the Respondent was not aware of the Complainant and its AGFA and AGFA HEALTHCARE marks when it registered the disputed domain name, which have been in existence for several years before the disputed domain name was registered by the Respondent. In the Panel's view, registering the exact replica of the Complainant's marks together with the term "career" is not coincidental but intentionally selected to take advantage of the Complainant's worldwide reputation and its marks (which previous UDRP panels have acknowledged). The use of the disputed domain name to resolve to a parked page amounts to attract, for commercial gain, Internet users to the website connected with the disputed domain name or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website or other location or of a product or service, within the meaning of paragraph 4(b) of the Policy, thus evidencing registration and use of the disputed domain name in bad faith.

Further, Panels have found that the passive holding of a domain name would not by itself prevent a finding of bad faith registration and use under the Policy, and the totality of the circumstances in each case would be considered in reaching that decision. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, the composition of the disputed domain name which was registered several years after the Complainant's trademark, the several contentions made by the Complainant and the preponderance of evidence provided, none of which the Respondent has come forward to counter or explain, and all the surrounding circumstances of this case, including the activation of MX (Mail Exchange) records by the Respondent, and reaches a decision that the passive holding of the disputed domain name in this instance, does not prevent a finding of bad faith under the Policy.

In the Panel's view, given all the foregoing and the preponderance of the Complainant's undisputed evidence, the Panel is satisfied that the Complainant has established that the Respondent was aware of the Complainant and its mark and clearly targeted the Complainant and registered and is using the disputed domain name in bad faith.

Having reviewed the record, therefore, the Panel finds the third element 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 <agfahealthcarecareers.com> be transferred to the Complainant.

/Uwa Ohiku/

Uwa Ohiku

Sole Panelist

Date: June 2, 2026