

ADMINISTRATIVE PANEL DECISION

Les Laboratoires Servier v. Domain Service, PHAM VAN THAI
Case No. D2026-1793

1. The Parties

The Complainant is Les Laboratoires Servier, France, represented by IP Twins SAS, France.

The Respondent is Domain Service, PHAM VAN THAI, Viet Nam.

2. The Domain Names and Registrar

The disputed domain names <doitac-duanxahoibaoan-servier.com>, <duanquy2-xahoibaoan-servier.com>, <serviervietnam.com> are registered with Dominet (HK) Limited (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 27, 2026. On April 28, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 29, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 4, 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 May 5, 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 May 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 2, 2026.

The Center appointed Alissia Shchichka as the sole panelist in this matter on June 5, 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, Les Laboratoires Servier, is a French pharmaceutical company and part of the Servier Group, an international pharmaceutical group operating in more than 130 countries and employing over 20,000 people worldwide. The record indicates that the Servier Group reported a turnover of approximately EUR 6.9 billion in the financial year 2024–2025.

The Complainant has provided evidence that it is the registered owner of numerous trademarks, including, but not limited to the following:

- European Union Trademark Registration No. 004279171, registered on October 15, 2007, for the word trademark SERVIER, in classes 5, 35, 41, 42 and 44;
- International Trademark Registration No. 814214, registered on August 5, 2003, designating, inter alia, Viet Nam, for the word trademark SERVIER, in classes 5, 35, 41, 42 and 44;
- International Trademark Registration No. 549079, registered on January 19, 1990, designating, inter alia, Viet Nam, for the figurative trademark SERVIER, in classes 1, 3, 5, 10, 16, 35, 41, 42.

The Complainant operates its official Vietnamese website through the domain name <servier.vn>.

The disputed domain names are:

<serviervietnam.com>, registered on December 5, 2025;

<doitac-duanxahoibaoan-servier.com>, registered on December 13, 2025;

<duanquy2-xahoibaoan-servier.com>, registered on December 20, 2025.

At the time of filing the Complaint, all disputed domain names resolved to inactive error pages.

The Respondent, according to the disclosed Whois information for the disputed domain names, is located in Viet Nam.

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 names.

The Complainant submits that the disputed domain names are confusingly similar to its SERVIER trademarks, as they incorporate the SERVIER mark in its entirety. According to the Complainant, the addition of the terms “vietnam”, “xahoi baoan”, “duan quy”, and “doi tac”, which refer to social-security-related concepts in Vietnamese, does not prevent a finding of confusing similarity. The Complainant further argues that the generic Top-Level Domain (“gTLD”) “.com” should be disregarded under the first element as it is a standard registration requirement.

The Complainant further contends that the Respondent lacks rights or legitimate interests in the disputed domain names because: (1) the Respondent is not affiliated with, licensed by, or otherwise authorized to use the SERVIER trademark; (2) there is no evidence that the Respondent is commonly known by the disputed domain names; and (3) the disputed domain names are not being used in connection with a bona fide offering of goods or services, as they merely resolve to inactive error pages. Furthermore, the Complainant's searches revealed no evidence that the Respondent has used, or made demonstrable preparations to use, the disputed domain names in connection with a bona fide offering of goods or services.

Finally, the Complainant asserts that the disputed domain names were registered and are being used in bad faith. In particular, the Complainant argues that: (1) its SERVIER trademarks significantly predate the registration of the disputed domain names and enjoy a substantial reputation worldwide, including in Viet Nam; (2) the term "servier" is highly distinctive and has no descriptive meaning; (3) the composition of the disputed domain names, including references to Viet Nam and social-security-related terms, demonstrates awareness of the Complainant and its activities; and (4) given the distinctiveness and reputation of the Complainant's trademark, no plausible good-faith use of the disputed domain names can be envisaged.

Accordingly, the Complainant requests that the disputed domain names be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant carries the burden of proving:

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

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a response as it considers appropriate.

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 Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are 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, “doitac-duanxahoibaoan”, “duanquy2-xahoibaoan” and “vietnam”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Complainant has confirmed that the Respondent is neither affiliated with the Complainant, nor otherwise authorized or licensed to use the SERVIER trademark or to seek registration of any domain name incorporating the trademark. The Respondent is also not known to be associated with the SERVIER trademark, and there is no evidence showing that the Respondent has been commonly known by the disputed domain names. [WIPO Overview 3.1](#), section 2.3.

The disputed domain name <serviervietnam.com> combines the Complainant’s SERVIER trademark with the geographic term “vietnam”, while the disputed domain names <doitac-duanxahoibaoan-servier.com> and <duanquy2-xahoibaoan-servier.com> combine the SERVIER trademark with Vietnamese terms referring to a “social security” project or initiative. In the Panel’s view, such compositions carry a risk of implied affiliation and may lead Internet users to believe that the disputed domain names are operated, sponsored, endorsed, or otherwise authorized by the Complainant, particularly in connection with its activities in Viet Nam. The nature of the disputed domain names therefore does not support a finding of fair use and rather falsely suggests an association with the Complainant and its business. See [WIPO Overview 3.1](#), section 2.5.1.

The Panel further notes that the Respondent has previously been named as respondent in several UDRP proceedings involving third-party trademarks, including *Sanofi v. PHAM VAN THAI, Domain Service*, WIPO Case No. [D2025-4075](#); *Sanofi v. PHAM VAN THAI, Domain Service*, WIPO Case No. [D2025-4067](#); and *Sanofi v. PHAM VAN THAI, Domain Service*, WIPO Case No. [D2025-5256](#), where the panels ordered the transfer or cancellation of the disputed domain names. While each case must be assessed on its own facts, the Respondent’s involvement in multiple UDRP proceedings concerning domain names incorporating well-known third-party trademarks is inconsistent with a broader pattern of bona fide activity and further supports the Panel’s finding that the Respondent lacks rights or legitimate interests in the disputed domain names. [WIPO Overview 3.1](#), section 2.5.2.

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 names such as those enumerated in the Policy or otherwise.

Therefore, the Panel concludes that the Respondent does not have any rights or legitimate interests in the disputed domain names, and the Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

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.

In the present case, the Panel observes that the Complainant's SERVIER trademarks predate the registration of the disputed domain names. The record further shows that the Complainant is part of the Servier Group, an international pharmaceutical group active in more than 130 countries, including Viet Nam.

Having regard to the nature and scale of the Complainant's activities and the fact that the disputed domain names reproduce the Complainant's SERVIER trademark in its entirety, the Panel finds it more likely than not that the Respondent was aware, or should have been aware, of the Complainant's trademark rights when registering the disputed domain names. [WIPO Overview 3.1](#), section 3.2.2.

The Panel further considers that the circumstances of this case reinforce such conclusion. The disputed domain name <serviervietnam.com> combines the SERVIER trademark with the geographic term "vietnam", while the disputed domain names <doitac-duanxahoibaoan-servier.com> and <duanquy2-xahoibaoan-servier.com> combine the SERVIER trademark with Vietnamese terms referring to a "social security" project or partners. In the Panel's view, such terms increase the likelihood that Internet users would expect the disputed domain names to be associated with the Complainant and its activities in Viet Nam. The composition of the disputed domain names therefore supports a finding that the Respondent targeted the Complainant and its trademark at the time of registration. [WIPO Overview 3.1](#), section 3.2.1.

The Panel further notes that the Respondent has previously been involved in multiple UDRP proceedings concerning domain names incorporating third-party pharmaceutical trademarks. The Respondent's history of engaging in abusive registrations of domain names incorporating well-known trademarks indicates a clear pattern of bad faith conduct. [WIPO Overview 3.1](#), section 3.2.1.

As regards use, the disputed domain names resolve to error pages. Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, lack of response and the composition of the disputed domain names, and finds that in the circumstances of this case the current passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

The Respondent's selection of a domain name confusingly similar to the Complainant's trademark, coupled with the Respondent's prior involvement in UDRP proceedings concerning third-party trademarks, as well as the Respondent's failure to participate in these proceedings, supports the conclusion that the Respondent was aware of the Complainant's reputation and sought to exploit it.

In light of these circumstances, the Panel finds that the Respondent's registration and use of the disputed domain names constitute bad faith.

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 names <doitac-duanxahoibaoan-servier.com>, <duanquy2-xahoibaoan-servier.com>, and <serviervietnam.com> be transferred to the Complainant.

/Alissia Shchichka/

Alissia Shchichka

Sole Panelist

Date: June 8, 2026