

ADMINISTRATIVE PANEL DECISION

Gilead Sciences, Inc. v. john amen
Case No. D2026-2007

1. The Parties

Complainant is Gilead Sciences, Inc., United States of America ("United States"), internally represented.

Respondent is john amen, United States.

2. The Domain Name and Registrar

The disputed domain name <gi1ead.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 May 8, 2026. On May 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 11, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on May 11, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on May 11, 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 Respondent of the Complaint, and the proceedings commenced on May 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 1, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on June 2, 2026.

The Center appointed Georges Nahichevansky as the sole panelist in this matter on June 2, 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

Complainant, Gilead Sciences, Inc., is a biopharmaceutical company based in California, United States. Complainant develops, manufactures and offers for sale various pharmaceutical products, and also provides medical information services. Complainant owns and uses the mark GILEAD in connection with its products and services and owns a number of registrations for the GILEAD mark around the world. These include, inter alia, a registration for GILEAD in the United States (No. 3,251,595) that issued to registration on June 12, 2007, and a European trademark registration for GILEAD (No. 003913167) that issued to registration on November 7, 2005. Complainant also owns and uses the domain name <gilead.com> for a website concerning Complainant and products and services. Complainant also owns a portfolio of domain names that include the name and mark GILEAD.

Respondent appears to be based in Florida, United States. Respondent registered the disputed domain name on April 14, 2026. At some point after registering the disputed domain name, such appears to have been possibly set up for a potential phishing attack or related activity. Additionally, the disputed domain name has been set up for email use. Currently the disputed domain name resolves to a registrar generated page promoting its services.

A. Complainant

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

Specifically, Complainant contends that its GILEAD name and mark is well-known, particularly on account of several of its products which prevent and treat HIV infection and which cure hepatitis C. Complainant maintains that it has strong rights in the GILEAD name and mark based on the success of its products and through its many registrations for the GILEAD name and mark.

Complainant asserts that the disputed domain name is identical or confusingly similar to its GILEAD mark as the disputed domain name is an intentional misspelling of the GILEAD mark. Complainant also asserts that Respondent does not have rights or a legitimate interest in the disputed domain name as Respondent (i) is not associated or affiliated with Complainant, (ii) has no license to use or register a domain name with the GILEAD mark, and (iii) is not making a bona fide offering of good or services or a legitimate noncommercial or fair use. In that regard, Complainant notes that “an independent security tool identified potential phishing activity when Complainant attempted to access the Domain, triggering a warning stating that the website violated anti-phishing policies.”

Lastly, Complainant argues that Respondent has acted in bad faith as Respondent intentionally registered a domain name that is a misspelling of the GILEAD mark and has not only set up the disputed domain name for email use, but appears to have deployed the disputed domain name for a phishing scheme or scam

B. Respondent

Respondent did not reply to Complainant's contentions

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) 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.

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 Selected UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

Complainant has shown rights in its GILEAD mark for purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1. Here, the disputed domain name is nothing more than a typo version of the GILEAD mark that merely replaces the letter "l" with the number "1". Such substitution of one letter in the disputed domain name does not prevent a finding of confusing similarity as the GILEAD mark remains recognizable in the disputed domain name. Accordingly, the disputed domain name is confusingly similar to Complainant's GILEAD mark for purposes of the Policy. [WIPO Overview 3.1](#), section 1.9.

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 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 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 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Respondent's registration of the disputed domain name is clearly based on the GILEAD mark and does not seem coincidental, particularly as it is simply a typo version of that mark to create a look alike domain. Such typosquatting is, in and of itself, evidence that Respondent lacks rights or legitimate interests in the disputed domain name. Needless to say, the disputed domain name as constituted carries a degree of implied affiliation and is likely to be mistakenly seen by consumers as related to Complainant and its products.

Additionally, it should be noted that Complainant asserts that it detected potential phishing activity involving the disputed domain name (and provides a screenshot supporting such). The fact that, based on the available record, Respondent is not commonly known by the disputed domain name, has not appeared in this matter, and has set up the disputed domain name for email use, supports a finding that the disputed domain name, which clearly is an intentional misspelling of the GILEAD mark, was registered for some potential nefarious activity.

In all, the Panel finds that Respondent has likely registered the disputed domain name for Respondent's profit or benefit by trading upon Complainant's mark, and possibly for a malicious activity.

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

C. Registered and Used in Bad Faith

The Panel notes that, for 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 view of Respondent's actions, and failure to appear in this proceeding, it seems more likely than not that Respondent's registration and use of the disputed domain name has been done opportunistically and in bad faith for Respondent's benefit or profit. Respondent's bad faith is underscored by Respondent's registration of a domain name that essentially is a misspelling of the GILEAD mark and which unsuspecting consumers will more than likely associate with Complainant.

Respondent's bad faith is also accentuated by Respondent's registration of a typo version of the GILEAD mark and possible use of such for a phishing scheme or other nefarious activity. In total, in view of Respondent's failure to appear to justify its actions, it seems more likely than not that the disputed domain name was registered and is being used opportunistically by Respondent for Respondent's benefit while trading upon Complainant's mark.

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 <gi1ead.com> be transferred to Complainant.

/Georges Nahitchevansky/

Georges Nahitchevansky

Sole Panelist

Date: June 3, 2026