

ADMINISTRATIVE PANEL DECISION

Sandoz AG v. James Kovacs

Case No. D2026-2172

1. The Parties

The Complainant is Sandoz AG, Switzerland, represented by Dreyfus & associés, France.

The Respondent is James Kovacs, Netherlands (Kingdom of the).

2. The Domain Name and Registrar

The disputed domain name <sandoz-pharmaceuticals.com> is registered with Internetx GmbH (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 20, 2026. On May 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 21, 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 (Not disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 21, 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 21, 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 22, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 12, 2026.

The Center appointed Beatrice O. Jarka as the sole panelist in this matter on June 16, 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 global leader in off-patent medicines, based on a strong scientific heritage.

Its origins begin with a small chemical company that came into being in Basel, Switzerland, in 1886, initially called Kern & Sandoz.

By 1917, the company had established its first pharmaceutical department and, in 1929, Calcium Sandoz was introduced, laying the foundation for modern calcium therapy. Calcium Sandoz went on to establish itself as one of the company's best-known products and is still well represented in today's Sandoz portfolio. In 1939, Kern & Sandoz became Sandoz Ltd., a name it operated under for nearly sixty years.

In 1963, it acquired Biochemie GmbH, representing the beginning of large-scale production of antibiotics and substances developed on the basis of biotechnology.

In 2023 the Complainant becomes a standalone company. The Complainant opens a new facility for production of penicillin at Kundl and a new biosimilar development center in Holzkirchen, Germany. In 2025 the Complainant starts construction of a biosimilars production center for sterile product manufacturing in Brnik, Slovenia.

The Complainant maintains a strong corporate and commercial presence in the Netherlands through Sandoz B.V., which operates as the primary national hub for the country's generic and biosimilar pharmaceutical market.

The Complainant is the owner of the trademark SANDOZ registered, inter alia, as:

- International trademark SANDOZ No. 932226, registered on June 25, 2007, duly renewed, designating inter alia Armenia, Estonia, Kenya, Viet Nam and covering goods in classes 1, 5 and 10;
- International trademark SANDOZ No. 804247, registered on June 3, 2003, duly renewed, designating inter alia Austria, Benelux, Egypt, Spain, Italy, Slovenia, France, and covering goods and services in classes 1, 10, 16 and 42;
- International trademark SANDOZ No. 413320, registered on December 16, 1974, duly renewed, designating inter alia Benelux, and covering goods in classes 1, 2, 3, 5, 9, 10, 11, 16, 17, 22, 23, 24;
- European Union trademark SANDOZ No. 003070422, registered on February 4, 2005, duly renewed and covering goods and services in classes 1, 5, 10, 42 and 44.

The Complainant operates, among others, the following domain names reflecting its trademark in order to promote its services :

- <sandoz.com> registered on January 6, 1993;
- <sandoz.nl> registered on April 14, 2003.

The disputed domain name was registered on registered on March 3, 2026, and resolves to an inactive website. Email servers are also configured in relationship to the disputed domain name.

The Respondent appears to be an individual residing in Netherlands.

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 disputed domain name is virtually identical, or at least confusingly similar to Complainant's prior trademark SANDOZ, as it reproduces the Complainant's trademark SANDOZ in its entirety, which does not prevent any likelihood of confusion.
- The Complainant's trademark SANDOZ has been considered to be "well-known" or "famous" by numerous previous UDRP panels.
- The disputed domain name is confusingly similar to the Complainant's trademark SANDOZ because it fully incorporates said mark, with the mere addition of the generic term "pharmaceuticals" directly targeting Complainant's field of activity.
- The Respondent is neither affiliated with Complainant in any way or has he been authorized by Complainant to use its trademark, nor to seek registration of any domain name incorporating said mark and consequently he cannot claim prior rights or legitimate interest in the domain name in dispute.
- The registration of the SANDOZ trademarks preceded the registration of the disputed domain name for years and the Respondent is not commonly known by the disputed domain name or the name "Sandoz", in accordance with paragraph 4(c)(ii) of the Policy.
- The construction of the disputed domain name constitutes clear evidence that Respondent wishes to give an overall impression that the disputed domain name is somehow related to Complainant, its corporate group and its activities.
- The disputed domain name resolves to an inactive page.
- The Respondent has not made any reasonable and demonstrable preparations to use the disputed domain name and consequently, he fails to show any intention of non-commercial or fair use of the disputed domain name.
- The Complainant attempted to contact the Respondent by sending a cease-and-desist letter to which the Respondent has never replied despite of several reminders.
- It is unlikely that Respondent was unaware of Complainant when he registered the disputed domain name, as the Complainant is well-known throughout the world, including the Netherlands where Respondent is located.
- The composition of the disputed domain name being confusingly similar to Complainant's well-known and highly distinctive trademark clearly demonstrates that Respondent registered the disputed domain name based on the attractiveness of Complainant's trademarks.
- It is more likely than not, that Respondent's primary motive in registering and using the disputed domain name was to capitalize on or otherwise take advantage of Complainant's trademark rights, through the creation of initial interest of confusion.
- Although the disputed domain name is currently inactive, this state of inactivity does not mean that the disputed domain name is used in good faith.
- It is likely that Respondent registered the disputed domain name to prevent Complainant from using their trademarks in the disputed domain name.
- Considering that email servers have been configured on the disputed domain name and thus, there might be a risk that Respondent is engaged in a phishing scheme.
- The use of an email address with the disputed domain name presents a significant risk where Respondent could aim at stealing valuable information such as credit card information from Complainant's clients or employees.

B. Respondent

Although procedurally informed, 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.

There is no doubt that the Complainant has shown registered rights in respect of a trademark or service mark for the purposes of the Policy, due to the multiple registrations held for SANDOZ mark. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that the disputed domain name is virtually identical, or at least confusingly similar to Complainant's prior trademark SANDOZ, as it reproduces the Complainant's trademark SANDOZ in its entirety, with the mere addition of the generic term "pharmaceuticals".

The Panel notes that The Complainant's trademark SANDOZ has been considered to be "well-known" or "famous" by numerous previous UDRP panels.

Although the addition of other terms, here "pharmaceuticals", 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.

Accordingly, 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. Despite of being properly notified according to the UDRP Rules, 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.

From the assertions of the Complainant, the Panel infers that:

- The Respondent is neither affiliated with Complainant in any way or has he been authorized by Complainant to use its trademark, nor to seek registration of any domain name incorporating said mark and consequently he cannot claim prior rights or legitimate interest in the domain name in dispute.
- The registration of the SANDOZ trademarks preceded the registration of the disputed domain name for years and the Respondent is not commonly known by the disputed domain name or the name "Sandoz", in accordance with paragraph 4(c)(ii) of the Policy.

- The construction of the disputed domain name constitutes clear evidence that Respondent wishes to give an overall impression that the disputed domain name is somehow related to Complainant, its corporate group and its activities.
- The disputed domain name resolves to an inactive page, which documents that the Respondent has not made any reasonable and demonstrable preparations to use the disputed domain name and consequently, he fails to show any intention of noncommercial or fair use of the disputed domain name.

These actions and inactions are considered under [WIPO Overview 3.1](#), section 2.3 and 2.4. as lack of rights or legitimate interests in the disputed domain name.

Consequently, 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 notes a series of circumstances concerning the Respondent who;

- was likely aware of Complainant when he registered the disputed domain name, as the Complainant is well-known throughout the world, including the Netherlands where Respondent is located.
- likely registered the disputed domain name based on the attractiveness of Complainant's trademarks.
- has as primary motive in registering and using the disputed domain name to capitalize on or otherwise take advantage of Complainants' trademark rights, through the creation of initial interest of confusion.
- likely configured the email servers on the disputed domain name and for engaging in a phishing scheme related to the disputed domain name does not mean that the domain name is used in good faith.

Although the situations above appear circumstantial and the disputed domain name is currently inactive, the Panel finds that all these circumstances jointly considered together with the failed attempts of the Complainant to have an answer from the Respondent to the cease and desist letter sent, do demonstrate the bad faith registration and use of the disputed domain name by the Respondent. [WIPO Overview 3.1](#), section 3.2. and 3.3.

Accordingly, the Panel finds the third element of the Policy 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 <sandoz-pharmaceuticals.com> be transferred to the Complainant.

/Dr. Beatrice Onica Jarka/

Dr. Beatrice Onica Jarka

Sole Panelist

Date: June 30, 2026