ADMINISTRATIVE PANEL DECISION

Chiesi Farmaceutici S.p.A. v. Thanks Lord, THANKS LORD INC
Case No. D2026-2525

1. The Parties

The Complainant is Chiesi Farmaceutici S.p.A., Italy, represented by Studio Barbero S.p.A., Italy.

The Respondent is Thanks Lord, THANKS LORD INC, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <chiesii.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 10, 2026. On June 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 12, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 12, 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 amendment to the Complaint on June 15, 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 the Respondent of the Complaint, and the proceedings commenced on June 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 14, 2026.

The Center appointed Levan Nanobashvili as the sole panelist in this matter on July 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 is a multinational biopharmaceutical company headquartered in Parma, Italy. Founded in 1935, the Complainant develops and markets innovative therapeutic solutions specializing in respiratory health, rare diseases, and specialty care. The Complainant employs more than 7,000 people across five continents and distributes its pharmaceutical products in over 60 countries. In 2024, the Complainant's total revenues reached EUR 3.4 billion.

The Complainant owns numerous registrations worldwide for CHIESI, including the following:

1) International Trademark Registration CHIESI (word), No. 1542645, registered on April 24, 2020, in International Classes 1, 5, 10, and 42, designating multiple jurisdictions;

2) European Union Trade Mark (figurative mark), No. 007216286, registered on May 11, 2009, duly renewed, in International Classes 1, 5, 10, and 42; and

3) United States Registration (figurative mark), No. 4133610, registered on May 1, 2012, duly renewed, in International Classes 5 and 10.

The Complainant holds various domain names incorporating CHIESI mark, including <chiesi.com>.

The disputed domain name was registered on March 31, 2026. The disputed domain name has never resolved to an active website.

The Respondent is reportedly residing in the United States of America.

The Complainant sent a cease-and-desist letter to the Respondent through the Registrar on May 14, 2026, followed by two reminders. The Respondent did not reply.

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:

(i) the CHIESI mark is well-known in the pharmaceutical industry;

(ii) the disputed domain name is confusingly similar to the Complainant's registered marks;

(iii) the Respondent is not a licensee of the Complainant, authorized agent, or in any other way authorized to use the Complainant's marks in the disputed domain name;

(iv) the disputed domain name has not been used in connection with an active website; however, the presence of configured MX records suggests that the disputed domain name may be used for fraudulent or malicious email activity. This is further reinforced by the fact that the disputed domain name was suspended by the Registrar and is currently under the "clientHold" status;

(v) given the composition of the disputed domain name, the Respondent cannot plausibly claim any fair or legitimate use;

(vi) the disputed domain name reproduces the Complainant's mark with the mere addition of the letter "i", demonstrating that the Respondent was fully aware of and deliberately targeted the Complainant's mark;

(vii) the term "chiesi" has no meaning in the English language. Therefore, the Respondent registered the disputed domain name in bad faith, specifically targeting and seeking to capitalize on its similarity to the Complainant's mark; and

(viii) considering the presence of active MX records and the similarity between the disputed domain name and the Complainant's domain name <chiesi.com>, it is highly likely that the Respondent intended to impersonate the Complainant by misleading Internet users into believing that any email communication originated from 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 that:

(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 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 shall 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 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.

A domain name which consists of a variation of a trademark (typically a common, obvious, or intentional misspelling, referred to as typosquatting) is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. WIPO Overview 3.1, section 1.9.

In light of the above, the Panel finds that the addition of the letter "i" in the disputed domain name is the intentional misspelling. Panels have consistently found that the addition of a single letter to a trademark in a domain name constitutes typosquatting. See *Groupe ADEO v. Privacy Service Provided by Withheld for Privacy ehf / Ivan Urgant*, WIPO Case No. D2022-0828, *Edmunds.com, Inc v. Triple E Holdings Limited*, WIPO Case No. D2006-1095, and *ESPN, Inc. v. XC2*, WIPO Case No. D2005-0444.

The addition of the generic Top-Level Domain ".com" is a standard registration requirement and, as such, is disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

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.

The Respondent provided no evidence that it has been commonly known by the disputed domain name, or has made a legitimate noncommercial use thereof. The Respondent has not rebutted the Complainant's contention that it has not authorized the Respondent to use the Complainant's marks, or that there is no relationship between them that would justify the Respondent's use of the Complainant's marks in the disputed domain name.

The evidence on file demonstrates that the disputed domain name was configured with MX records, allowing the Respondent to use the disputed domain name for email communication. Subsequently, the Registrar placed the disputed domain name on "clientHold." The Panel finds that such use fails to establish rights or legitimate interests, as any email sent from the disputed domain name may confuse Internet users as to the email's true source. See *LogMeIn, Inc. v. Privacy Service Provided by Withheld for Privacy ehf / Joe Lavery, Must Have Marketing, LLC*, WIPO Case No. D2021-2899 and *Facebook Inc. v. Jeremy Williams*, 3 Man Group, WIPO Case No. D2019-1535.

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.

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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos) to a well-known trademark, and particularly in the case of coined or fanciful marks, can by itself create a presumption of bad faith. WIPO Overview 3.1, section 3.1.4. The evidence on file demonstrates that "Chiesi" is the name of the Complainant's founder and this term does not have any meaning in the English language. Therefore, the Panel finds that, in all likelihood, the Respondent registered the disputed domain name because of its similarity to the Complainant's marks.

Noting the near instantaneous and global reach of the Internet and search engines, and particularly in circumstances where the complainant's mark is widely known (including in its sector) or highly specific and a respondent cannot credibly claim to have been unaware of the mark, panels have been prepared to infer that the respondent knew, or have found that the respondent should have known, that its registration would be identical or confusingly similar to a complainant's mark. WIPO Overview 3.1, section 3.2.2. In the present case, the composition of the disputed domain name, with the mere addition of a single letter "i", suggests that the Respondent was actually aware of, and intended to target the Complainant's marks.

The Respondent failed to reply to the cease-and-desist letter and did not explain or justify the use of the Complainant's marks in the disputed domain name. UDRP panels have consistently held that the failure to respond to a cease-and-desist letter may be a factor in establishing bad faith registration and use of a domain name. See *Carrefour v. Jan Everno, The Management Group II*, WIPO Case No. D2017-0586, *Remy Cointreau Luxembourg S.A. v. Deividas Samulionis, UAB "Sentosa"*, WIPO Case No. D2016-2232, and *Encyclopaedia Britannica, Inc. v. John Zuccarini and The Cupcake Patrol a/ka Country Walk a/k/a Cupcake Party,* WIPO Case No. D2000-0330.

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 and reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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 <chiesii.com> be transferred to the Complainant.

/Levan Nanobashvili/
Levan Nanobashvili
Sole Panelist
Date: June 27, 2026