

ADMINISTRATIVE PANEL DECISION

Vertex Pharmaceuticals v. Host Master, Njalla Okta LLC
Case No. D2026-2805

1. The Parties

The Complainant is Vertex Pharmaceuticals, United States of America ("United States"), represented by Merchant & Gould, PC, United States.

The Respondent is Host Master, Njalla Okta LLC, Saint Kitts and Nevis.

2. The Domain Name and Registrar

The disputed domain name <vertexbioresearch.com> is registered with Tucows Domains Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 26, 2026. On June 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 29, 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 the Complainant on June 30, 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 July 7, 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 July 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 3, 2026.

The Center appointed Stefan Bojovic as the sole panelist in this matter on August 7, 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 United States pharmaceutical company which develops and sells pharmaceuticals to treat a wide array of indications. The Complainant has been active in the pharmaceutical field since 1989 and was named as one of the Time Magazine 100 most influential companies of 2025.

The Complainant is the owner of the VERTEX trademark which is protected by trademark registrations in various jurisdictions, including the following:

- European Union trademark registration No. 007195464 for VERTEX, registered on March 7, 2013; and
- United States trademark registration No. 1630448 for VERTEX, registered on January 1, 1991.

The disputed domain name was registered on May 5, 2026, and, according to the evidence in the Complaint, it resolved to a blank webpage.

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 contains the entirety of the Complainant's VERTEX trademark along with the descriptive terms "bio" and "research" which both describe services offered under the VERTEX trademark. Thus, the disputed domain name is confusingly similar to the Complainant's trademark.

With reference to rights or legitimate interests in respect of the disputed domain name, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not authorized, licensed, or otherwise permitted the Respondent to use the VERTEX trademark. The Respondent is not affiliated in any way with the Complainant and does not have permission from the Complainant to use the registered VERTEX trademark or any other confusingly similar trademark.

With reference to the circumstances evidencing bad faith, the Complainant indicates that the Respondent can be inferred to have registered and used the disputed domain name in bad faith because: (1) The VERTEX trademark is well-known and the Respondent must have known of it; (2) the entire VERTEX trademark appears within the disputed domain name; (3) there is currently no website accessible with the disputed domain name; (4) the Respondent used a proxy service to conceal its identity. Considering the reputation of the Complainant's trademark, the Respondent's use of a privacy service to hide its identity, and the implausibility that the domain could be put to any good faith use, the Complainant holds that the Respondent has registered the disputed domain name in bad faith.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: “[a] Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.” Paragraph 4(a) of the Policy stipulates that the complainant must prove each of the following:

- (i) that the disputed domain name registered by the respondent 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.

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 Complainant’s VERTEX trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant’s trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, “bio” and “research”) 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 name and the Complainant’s trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

In addition, it is well established that “.com”, as a Top-Level Domain, is disregarded in the assessment of the confusing similarity between the disputed domain name and the trademark. [WIPO Overview 3.1](#), section 1.11.1.

The Panel, therefore, finds that 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 Panel notes that, according to the record, there is no relationship between the Respondent and the Complainant and that the Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant's VERTEX trademark. There appears to be no element from which the Panel could infer the Respondent's rights or legitimate interests in the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

The Panel also finds that the composition of the disputed domain name, which contains the Complainant's VERTEX trademark in combination with the terms "bio" and "research", carries a risk of implied affiliation, especially in the light of the fact that these additional terms closely correspond to the Complainant's field of business. [WIPO Overview 3.1](#), section 2.5.1.

Having in mind the above, 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.

In the present case, the Panel notes that the Respondent was very likely aware of the Complainant and its VERTEX trademark at the time of the registration of the disputed domain name. Namely, the first registration and use of the VERTEX trademark predate the registration of the disputed domain name by decades, making it likely that the Respondent was aware of the Complainant's trademark at the time of registration of the disputed domain name. Furthermore, the composition of the disputed domain name closely corresponds to the fields of pharmaceuticals and biotechnology, i.e., the fields in which the Complainant operates and enjoys a certain reputation.

Due to the above, the Panel finds that the disputed domain name has been registered in bad faith.

The disputed domain name resolved to a blank webpage, meaning that the disputed domain name has not been actively used by the Respondent. 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. In accordance with section 3.3 of [WIPO Overview 3.1](#), factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's taking active steps to conceal its identity, and (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent's registration agreement). Taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark, the less plausible a claimed non-infringing good faith use is likely to be, and vice versa. It should be emphasized that it is not required that all the above-listed factors be present in order to establish bad faith use of the disputed domain name (see, for example, *Compagnie Générale des Etablissements Michelin v. K Nandalal, BlueHost*, WIPO Case No. [D2021-3990](#)).

Having reviewed the available record, the Panel notes the reputation of the Complainant's VERTEX trademark, particularly in the pharmaceutical and biotechnology fields, which are directly referenced by the additional terms "bio" and "research", as well as the composition of the disputed domain name and the Respondent's failure to respond to the Complaint or provide any explanation for the registration and intended use of the disputed domain name. In light of these circumstances, the Panel finds that the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel is also mindful that the Complainant's VERTEX trademark is a dictionary word, and that it is plausible to use such word in a domain name independently of the Complainant's trademark. However, in this particular case, the Panel notes that the Complainant's trademark enjoys a high degree of reputation within the fields of pharmaceuticals and biotechnology, while the disputed domain name incorporates the additional terms "bio" and "research", which directly refer to those fields. In these circumstances, the Panel considers it implausible that the disputed domain name could be used in good faith without evoking an association with the Complainant.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Therefore, 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 <vertexbioresearch.com> be transferred to the Complainant.

/Stefan Bojovic/

Stefan Bojovic

Sole Panelist

Date: August 21, 2026