

ADMINISTRATIVE PANEL DECISION

Noreva Pharma v. Dorian Mercado

Case No. D2026-3197

1. The Parties

The Complainant is Noreva Pharma, France, represented by IPSILON, France.

The Respondent is Dorian Mercado, Switzerland.

2. The Domain Name and Registrar

The disputed domain name <noreva-france.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 July 21, 2026. On July 21, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 22, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 24, 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 24, 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 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 16, 2026. The Respondent sent an email communication to the Center on July 29, 2026. On August 17, 2026, the Center sent an email communication to the Parties advising that it will proceed to panel appointment.

The Center appointed Zoltán Takács as the sole panelist in this matter on August 24, 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 founded in 1980s and incorporated under its current legal form in 2002 is a French dermo-cosmetics company specializing in skincare products developed in collaboration with dermatologists.

The Complainant's products are primarily sold at pharmacies in France with over 2,000 points of sales.

The Complainant is the owner of among others the International Trademark Registration No. 946652 for the mark NOREVA registered on September 13, 2007.

The disputed domain name was registered on April 26, 2026. The evidence provided by the Complainant shows that the disputed domain name resolved to a website which prominently displayed the Complainant's NOREVA trademark and was purportedly offering for sale goods unrelated to the Complainant, namely women's shapewear.

At the time of the Decision the disputed domain name is inactive.

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 which incorporates the entirety of its NOREVA trademark with the addition of the term "france" (the country of the Complainant's incorporation and place of its business activities) and a hyphen is confusingly similar to the trademark;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name since it is unable to rely on any of the circumstances set out in paragraphs 4(c)(i), (ii), or (iii) of the Policy; and
- the Respondent acquired the disputed domain name to prevent the Complainant from reflecting its earlier trademark in the corresponding domain name and in full knowledge of the Complainant and its earlier rights.

B. Respondent

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

However, on July 29, 2026, the Respondent sent an email communication to the Center stating among others: "I would like to inform you that the domain name [<noreva-france.com>] is not currently active. I have no intention of using this domain name and I am willing to cooperate to resolve this matter promptly. If the Complainant wishes to have the domain name transferred or if there is a procedure to close this matter amicably, I am prepared to cooperate without delay."

6. Discussion and Findings

A complainant must evidence each of the three elements required by paragraph 4(a) of the Policy in order to succeed on the complaint, namely that:

- (i) the 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 domain name; and
- (iii) the 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 NOREVA trademark is reproduced and recognizable in the disputed domain name. Although the addition of other terms, here "france" and a hyphen may bear on assessment of the second and third elements, the Panel finds that 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](#), sections 1.7 and 1.8.

The Panel 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 Panel notes that the Complainant has not authorized, licensed, or allowed the Respondent to use its trademark in the disputed domain name or in any other way. There is also no evidence that the Respondent has been commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy.

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.

As mentioned above, the Respondent used the Complainant's NOREVA trademark in the disputed domain name and on the associated website without permission, along with the geographical term "france" which stands for the country of the Complainant's origin and place of business activities - to offer for sale products unrelated to the Complainant's business and without any indication of its lack of relationship with the Complainant. This in the Panel's view suggests that the Respondent is using the disputed domain name to capture Internet traffic associated with the Complainant's mark, rather than for any legitimate independent purpose.

In the absence of any response or evidence to the contrary, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name and that 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.

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

In the present case, the Panel notes that the disputed domain name fully contains the Complainant's NOREVA trademark that had been registered and used long before the Respondent registered the disputed domain name. A basic Internet search against the disputed domain name returns solely the results relating to the Complainant and its business.

As mentioned above, the Respondent used the disputed domain name to resolve to a website which prominently displayed the Complainant's NOREVA trademark.

The Respondent failed to provide any explanation for its inclusion of the Complainant's trademark in the disputed domain name. Based on the above facts and circumstances, the Panel infers, on balance, that regardless of the fact that the website at the disputed domain name promoted goods unrelated to the Complainant, it did so while displaying the Complainant's trademark, deliberate incorporation of the Complainant's trademark into the disputed domain name with the addition of the geographical term "france" (the country of the Complainant's incorporation and place of its business activities) demonstrates clear targeting of the Complainant's trademark.

Currently, there is no evidence that the disputed domain name is being used in any active way. However, from the inception of the UDRP, panelists have found that the non-use of a domain name (including a blank or "coming soon" page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3.

In view of the Panel, in the totality of the circumstances, them being the reputation of the Complainant's trademark, the composition of the disputed domain name as mentioned above, the Respondent's lack of any rights or legitimate interests in the disputed domain name and the Respondent's prior use and failure to submit a response supports a finding of 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 name <noreva-france.com> be transferred to the Complainant.

/Zoltán Takács/

Zoltán Takács

Sole Panelist

Date: September 2, 2026