

ADMINISTRATIVE PANEL DECISION

Lonza Ltd v. chen lele, Fuzhou Ofit Trading Co., Ltd.
Case No. D2026-3238

1. The Parties

The Complainant is Lonza Ltd, Switzerland, represented by Greer, Burns & Crain, Ltd., United States of America (“U.S.” or “United States”).

The Respondent is chen lele, Fuzhou Ofit Trading Co., Ltd., China.

2. The Domain Names and Registrar

The disputed domain names <lonzafactory.com>, <lonzafactorysale.shop>, <lonzafactorys.shop>, <lonzafactory.store>, and <lonzafactoryusa.shop> are registered with NameSilo, LLC.

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 23, 2026, with respect to <lonzafactory.com>. On the same day, the Center transmitted by email to the Registrar a request for registrar verification in connection with the aforesaid disputed domain name. On July 23, 2026, the Registrar transmitted by email to the Center its verification disclosing registrant and contact information for the aforesaid disputed domain name which differed from the named Respondent (User #683382c9 Privacy, See PrivacyGuardian.org) 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.

On July 31, 2026, the Complainant requested to add four related disputed domain names <lonzafactorysale.shop>, <lonzafactorys.shop>, <lonzafactory.store>, and <lonzafactoryusa.shop> to the present Complaint. On August 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the additional disputed domain. On the same day, the Registrar transmitted by email to the Center its verification confirming that the Respondent is listed as the registrant and providing the contact details. The Complainant filed an amended Complaint on August 9, 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 August 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 31, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 2, 2026.

The Center appointed Charles Gielen as the sole panelist in this matter on September 8, 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 one of the leading companies providing manufacturing services to the pharmaceutical, biotech and nutrition markets and has continuously used the trade mark LONZA in the pharmaceutical, biotechnology and nutrition space, in addition to other areas, such as custom manufacturing.

The Complainant is the owner of several trade marks duly registered in many countries and regions in the world, including United States registration No. 956300, registered on April 3, 1973 for goods in class 5 as well as European Union Trade Mark No. 001101898, registered on July 3, 2000, for goods in classes 1, 2, 3, 4, 5, 16, 17, and 19.

The Complainant also incorporates the trade mark LONZA as part of its company name and operates the website "www.lonza.com".

The disputed domain name <lonzafactory.com> was registered on May 20, 2026. The disputed domain names <lonzafactorysale.shop>, <lonzafactorys.shop>, <lonzafactory.store> and <lonzafactoryusa.shop> were registered on June 10, 2026. The disputed domain names <lonzafactory.com>, <lonzafactorysale.shop>, <lonzafactorys.shop>, and <lonzafactoryusa.shop> lead to websites purportedly offering for sale pharmaceutical products from unclear sources. The disputed domain name <lonzafactory.store> does not lead to an active website.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the Complainant's word mark LONZA. The disputed domain names incorporate this trade mark in its entirety and the only difference between the disputed domain names and this trade mark is the addition of the descriptive terms "factory", "factorysale", "factorys" and "factoryusa". The addition of the generic Top-Level Domains ("gTLDs") ".com", ".shop" or ".store" shall be disregarded as a standard registration requirement when assessing the similarity between a trade mark and a domain name.

The Complainant argues that the Respondent does not have any rights or legitimate interests in the disputed domain names and gives several reasons for this. First, the Respondent did not, at any time, obtain any authorization to reproduce the Complainant's trade mark LONZA within a domain name and has never been authorized, licensed or otherwise permitted by the Complainant to register or use domain names incorporating the Complainant's trade mark LONZA. The Complainant has not authorized, by license or otherwise, the Respondent to use the LONZA trade mark, or to apply for any domain names that are confusingly similar to such mark. Second, the Respondent is wholly appropriating the Complainant's LONZA trade mark by using the disputed domain names <lonzafactory.com>, <lonzafactorys.shop>,

<lonzafactorysale.shop>, and <lonzafactoryusa.shop> in connection with active websites that are using infringing and counterfeit copies of the LONZA trade mark to sell unauthorized pharmaceuticals. According to the Complainant and as held by several Panels, the use of a domain name for illegal activity (e.g. illegal pharmaceuticals, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent. As far as the disputed domain name <lonzafactory.store> that does not lead to an active website, is concerned, the Complainant argues that the passive holding of a domain name that is identical or confusingly similar to the Complainant's trade mark is not a bona fide offering of goods or services and it is not a legitimate noncommercial or fair use of the domain name.

Finally, the Complainant argues that the Respondent registered and is using the disputed domain names in bad faith. First, regarding the registration of the disputed domain names the Complainant contends that the Respondent registered the disputed domain names primarily for the purpose of creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement. Several panels have consistently found that the mere registration of a disputed domain name that is identical or confusingly similar to a widely known trade mark by an unaffiliated entity can by itself create a presumption of bad faith. The Complainant argues that the trade mark LONZA has been the subject of subsisting trade mark registrations for more than 100 years in over 30 countries. It is highly implausible that the Respondent was unaware of the Complainant and the Complainant's LONZA trade mark at the time that the disputed domain names were registered. Regarding the use of the disputed domain names <lonzafactory.com>, <lonzafactorys.shop>, <lonzafactorysale.shop>, and <lonzafactoryusa.shop>, the Complainant argues that such use is bad faith use because the websites to which these domain names resolve offer for sale unauthorised pharmaceutical products. Furthermore, the Complainant contends that the Respondent attempts to trade on the goodwill associated with a mark in which the Complainant has rights. As far as the disputed domain name <lonzafactory.store> is concerned that does not resolve to an active website, the Complainant argues that the mere registration of a domain name that is identical or confusingly similar to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith. Indeed, the composition of the disputed domain name <lonzafactory.store> is likely to mislead Internet users and consumers into thinking that the Respondent is, in some way or another, connected to, sponsored by, or affiliated with the Complainant.

B. Respondent

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

6. Discussion and Findings

The Panel notes that the complaint refers to five different domain names. In view of paragraph 3(c) of the Rules the Complaint may relate to different domain names provided that the domain names are registered by the same domain name holder, which is the case here. So, the Panel decides to consolidate the disputes regarding the nominally different disputed domain names.

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 trade mark and the disputed domain names. 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 trade mark for the purposes of the Policy.

The Panel finds that the mark LONZA is recognizable within the disputed domain name. The only difference is that in the different domain names the terms “factory”, “factorysale”, “factorys” and “factoryusa” have been added behind the word “lonza”. This difference does not prevent the finding of confusing similarity between the trade mark and the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

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 names. 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 names such as those enumerated in the Policy or otherwise. First, the Respondent did not show that it owns any rights to the name “lonza” nor that it has any license or other authorization from the Complainant to use its LONZA trade mark. Second, the Respondent did not argue that it is commonly known, or that it has ever been known under the names “lonzafactory”, “lonzafactorysale”, “lonzafactorys” or “lonzafactoryusa”. Third, there is no evidence that the Respondent has used, or prepared to use, the disputed domain names in connection with a bona fide offering of goods or services. The disputed domain names <lonzafactory.com>, <lonzafactorysale.shop>, <lonzafactorys.shop>, and <lonzafactoryusa.shop> resolve to website claiming to be “lonzafactory” or “lonzafactoryusa”, purportedly offering for sale pharmaceutical products from unclear sources, without any disclaimer clarifying the lack of relationship with the Complainant. The Panel agrees with the Complainant that it is impossible to conceive of a circumstance in which the Respondent could legitimately use the disputed domain names without creating a false impression of association with the Complainant.

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 or use of a domain name in bad faith.

The Panel finds first that the disputed domain names were registered in bad faith. The Respondent, when registering the disputed domain names, had the trade mark of the Complainant in mind. This trade mark is very distinctive, widely used in the world and is very well known. The Panel agrees with the Complainant that the Respondent registered the disputed domain names primarily for the purpose of creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement. This Panel finds that the mere registration by the Respondent of the disputed domain names, which are identical or confusingly similar to the widely known trade mark LONZA creates a presumption of bad faith.

Regarding the use of the disputed domain names <lonzafactory.com>, <lonzafactorys.shop>, <lonzafactorysale.shop>, and <lonzafactoryusa.shop>, the Panel decides that such use is bad faith use because the websites to which these domain names resolve purportedly offer for sale pharmaceutical products from unclear sources. The Panel finds that the use of these disputed domain names constitutes bad faith under paragraph 4(b)(iv) of the Policy.

Regarding the use of the disputed domain name <lonzafactory.store> the Panel finds that notwithstanding the fact that this domain name does not resolve to an active website, the use does not prevent a finding of bad faith. Having reviewed the available records, the Panel notes the distinctiveness and reputation of the Complainant's trade mark, and the composition of this 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 disputed domain names were registered and are being used in bad faith, and 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 names <lonzafactory.com>, <lonzafactorysale.shop>, <lonzafactorys.shop>, <lonzafactory.store>, and <lonzafactoryusa.shop> be transferred to the Complainant.

/Charles Gielen/

Charles Gielen

Sole Panelist

Date: September 21, 2026