

ADMINISTRATIVE PANEL DECISION

Verfora SA v. Chakrin Santapong, Phoinikas Digital
Case No. D2026-3354

1. The Parties

The Complainant is Verfora SA, Switzerland, represented by Troller Hitz Troller, Rechtsanwälte, Switzerland.

The Respondent is Chakrin Santapong, Phoinikas Digital, Thailand.

2. The Domain Name and Registrar

The disputed domain name <perskindolthailand.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 29, 2026. On July 29, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 30, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 August 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 26, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 27, 2026.

The Center appointed Kaya Köklü as the sole panelist in this matter on September 2, 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 part of an international pharmaceutical group that is active in the healthcare market. The Complainant distributes products for the treatment of pain and sports injuries internationally under its trademark PERSKINDOL, which is registered in numerous jurisdictions around the world. Among many others, the Complainant is the owner of the International Trademark Registration No. 471878, registered on September 24, 1982, for PERSKINDOL, designating various jurisdictions, and covering protection for goods in class 5.

For almost 30 years, the Complainant further owns the domain name <perskindol.com>, which redirects users to its official website at “www.perskindol.ch”.

The Respondent is reportedly located in Thailand.

The disputed domain name was registered on October 1, 2019.

The Complainant asserts that the disputed domain name is “active. It clearly shows the products of the Complainant”. The Panel notes that since the filing of the Complaint, the disputed domain name has varied its content, sometimes resolving to an error page. At the time of this Decision, the Panel notes, while exercising its general powers under paragraphs 10 and 12 of the Rules, that the disputed domain name resolves to a website ostensibly displaying the Complainant’s registered trademark and providing information on the Complainant’s products. The “Contact us” section contains the following statement “Zuellig Pharma is the distributor of Perskindol products in Thailand”.

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. The Complainant asserts that the disputed domain name was used in connection with an active website showing products of the Complainant.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark 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.

As per paragraph 4(a) of the Policy, the complainant bears the burden of proving that all these requirements are fulfilled, even if a respondent has not substantively replied to the complainant’s contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

Concerning the uncontested information provided by a complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in a complaint as true. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

It is further noted that the Panel has taken note of the [WIPO Overview 3.1](#) and, where appropriate, will decide consistently with the consensus views captured therein.

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of the PERSKINDOL trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the PERSKINDOL mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the PERSKINDOL mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other term, here "thailand", 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.

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. Particularly, the Complainant put forward that the Respondent is neither a business partner of the Complainant nor a licensee of its PERSKINDOL trademark and that the Respondent is not commonly known by the term "perskindol" in combination with "thailand". 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 further notes that the disputed domain name has been used for a website ostensibly displaying the Complainant's registered trademark and providing information on the Complainant's products while representing to be the distributor of the Complainant's products in Thailand. The Complainant's unrefuted allegation is that it has no affiliation with the Respondent. Even if the Respondent were to be considered a distributor of the Complainant's products, noting that the composition of the disputed domain name carries an impermissible risk of implied affiliation and user confusion, the Respondent cannot be found as having

rights or legitimate interests in the disputed domain name under the Policy. [WIPO Overview 3.1](#), section 2.5.1. Such finding is not altered by the information on the website indicating that the “Zuellig Pharma is the distributor of Perskindol products in Thailand.” as the composition is inherently misleading.

The Panel further notes that the website currently hosted at the disputed domain name merely provides information about the Complainant’s products and does not offer any goods or services. Accordingly, such use would also not satisfy the cumulative requirements set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), and does not support a finding 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.

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 must have had the Complainant and its PERSKINDOL trademark in mind when registering the disputed domain name. It is obvious to the Panel that the Respondent has deliberately chosen the disputed domain name, which comprises the Complainant’s trademark in its entirety, together with the geographical term “thailand”, to target and mislead Internet users searching for the Complainant and its products.

With respect to the use of the disputed domain name, the Panel notes that the disputed domain name, although at times the disputed domain name has resolved to an error page, the Complainant alleges that the disputed domain name was previously used in connection with an active website showing the Complainant’s PERSKINDOL products, and even though the Complainant has not submitted any evidence in support of this assertion, the Panel has verified that this is the use of the disputed domain name at the time of this Decision.

In these circumstances, and noting the Respondent’s default, the Panel finds that any use of the disputed domain name, which incorporates the Complainant’s mark in its entirety with only the addition of a geographic term, would create a risk of user confusion and therefore constitute bad faith. Moreover, because the Complainant has no control over the disputed domain name, the Respondent could change its content at any time, potentially harming the Complainant’s business. The non-use of the disputed domain name would not preclude such finding.

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 <perskindolthailand.com> be transferred to the Complainant.

/Kaya Köklü/

Kaya Köklü

Sole Panelist

Date: September 16, 2026