

ADMINISTRATIVE PANEL DECISION

Peter Kolchinsky v. Constantinos Hadjipetrou, DK Royalties Ltd
Case No. D2026-3774

1. The Parties

The Complainant is Peter Kolchinsky, United States of America ("United States"), represented by Sennott, Williams & Rogers, LLP, United States of America.

The Respondent is Constantinos Hadjipetrou, DK Royalties Ltd, Cyprus.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 24, 2026. On August 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 25, 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 (The RDAP server redacted the value, Privacy service provided by WITHHELD FOR PRIVACY LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on the same day, 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 the same day.

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 August 26, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 16, 2026.

The Center appointed Steven A. Maier as the sole panelist in this matter on September 16, 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 an individual based in the United States. He is a published author and speaker as well as the founder of RA Capital Management, a life sciences investment firm.

The Complainant was the owner of the disputed domain name until it was allowed to lapse, on or around June 30, 2026.

Until such lapse, the Complainant operated a website at “www.peterkolchinsky.com”, promoting in particular his book *The Great American Drug Deal: A New Prescription for Innovative and Affordable Medicines*, published in 2020.

It is unclear on precisely what date after June 30, 2026, the Respondent registered the disputed domain name.

The Complainant provides evidence that the disputed domain name has resolved as follows:

- on August 7, 2026, to a website identified by the Complainant as “www.votertide.com”, offering links to various online casinos; and
- on August 10, 2026, to a website identified by the Complainant as “www.batman-news.com”, also offering links to various online casinos.

As at the date of this Decision, the disputed domain name does not resolve to any active website.

5. Parties' Contentions

A. Complainant

The Complainant contends that he has obtained unregistered or common law trademark rights in respect of his personal name, PETER KOLCHINSKY, by virtue of having made commercial use of that name and mark for over 20 years.

The Complainant submits that he is internationally known for his work as a virologist, investor, philanthropist and speaker, and is the author of two books, *The Great American Drug Deal: A New Prescription for Innovative and Affordable Medicines*, referred to above, and *The Entrepreneur's Guide to a Biotech Startup*, published in 2001. He provides evidence that he has licensed his name and likeness to Audible.com in connection with the audiobook edition of the first of these books.

The Complainant provides evidence that he has provided speaking presentations to live audiences since 2006, at seminars, lectures and group teachings. He exhibits a webpage maintained by his speaking agent, offering his services as a speaker on topics including healthcare, venture capital and business leadership.

The Complainant submits evidence of online teaching activities, blogs and a social media account on X, with over 64,000 followers.

The Complainant also provides evidence of his founding membership of an organization named *No Patient Left Behind*, being a network of biotechnology innovators, investors, economists, healthcare professionals, and patients working to support solutions that improve affordability.

The Complainant contends that, as a result of the above activities, the name and mark PETER KOLCHINSKY has become recognized by the public as distinctively identifying the writing, teaching, speaking and related services which he provides.

The Complainant contends that he has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant submits that the disputed domain name is identical to the trademark PETER KOLCHINSKY, in which he has established unregistered or common law rights.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. He states that he has no relationship with the Respondent and has never authorized it to use his PETER KOLCHINSKY trademark, that the Respondent has not commonly been known by the disputed domain name, and that the Respondent is making neither bona fide commercial use nor legitimate noncommercial or fair use of the disputed domain name. The Complainant contends that, on the contrary, the Respondent is using the disputed domain name to divert Internet users to casino websites by creating a misleading impression of a connection with the Complainant, which cannot give rise to rights or legitimate interests.

The Complainant submits that the disputed domain name has been registered and is being used in bad faith. He points to his own operation of a website at the disputed domain name until it was allowed to lapse in June 2026, and contends that the Respondent can only have registered the disputed domain name in order to take opportunistic advantage of his own prior use of the PETER KOLCHINSKY trademark and his established reputation. The Complainant submits that there can be no coincidental reason for the Respondent having registered the disputed domain name, which corresponds to the name and trademark of a well-known author, philanthropist, and innovator.

The Complainant contends that the Respondent is likely to receive referral fees and/or pay-per-click advertising revenue from the casino websites to which the disputed domain name has redirected, and therefore, is intentionally attempting, for commercial gain, to attract Internet users to those websites by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of those websites (paragraph 4(b)(iv) of the Policy).

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are 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.

A. Identical or Confusingly Similar

The Complainant does not claim any registered trademark rights in this case, but asserts that he has obtained unregistered or common law trademark rights in his personal name, PETER KOLCHINSKY, by virtue of his commercial activities under that name.

As observed in section 1.5.2 of WIPO Overview of WIPO Panel Views on Select UDRP Questions ([“WIPO Overview 3.1”](#)):

“The UDRP does not explicitly provide standing for personal names that are not registered or otherwise protected as trademarks. Where a personal name is being used as a trademark (i.e., as a source-identifier in trade or commerce), the complainant may be able to establish unregistered or common law rights in the name for purposes of standing to file a UDRP case where the name is used in commerce as a distinctive identifier of the complainant’s goods or services.

Merely having a famous name (such as a businessperson or cultural/political leader who has not demonstrated use of their personal name in a trademark/source-identifying sense), or authoring an article or giving a speech, or making broad unsupported assertions regarding the use of such name in trade or commerce, would not likely demonstrate unregistered or common law rights for purposes of standing to file a UDRP complaint.

Even in cases where the domain name and website content clearly target the personal name, this may not be enough to overcome a lack of specific evidence of use of the name as a distinctive source identifier...”

While the Complainant’s activities include his stewardship of a named business, RA Capital Management, the Panel is satisfied on the evidence that he has also obtained a significant commercial reputation in connection with his personal name, PETER KOLCHINSKY, by virtue of the books that he has authored, his ongoing speaking and other public engagements, and his personal profile as an investor and an educator.

The Panel finds that, as a result of these matters, the name PETER KOLCHINSKY has acquired distinctiveness as a source-identifier of the Complainant’s goods and services, and that the Complainant has established unregistered or common law trademark rights in that mark. Specifically, the Panel notes that the Complainant has used his personal name continuously in connection with the promotion of authored works, speaking services, educational content, and related commercial activities over many years. The evidence demonstrates that the Complainant’s personal name is used not merely descriptively, but also as a badge of origin for such services. The Panel therefore finds that the name has acquired secondary meaning and functions as an unregistered trademark for purposes of the Policy.

The disputed domain name is identical to the Complainant’s PETER KOLCHINSKY trademark, and the first element under the Policy is therefore 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 Complainant has established, moreover, that the Respondent has used the disputed domain name to redirect to online casino websites. Those websites have no demonstrated, or indeed plausible, connection with the name and mark PETER KOLCHINSKY, from which it is strongly to be inferred that the Respondent registered the disputed domain name in order to take unfair commercial advantage of the Complainant's trademark rights by causing confusion to Internet users. Such conduct cannot give rise to rights or legitimate interests in respect of the disputed domain name.

The Panel therefore finds that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel finds the Complainant's PETER KOLCHINSKY trademark to be distinctive and, as discussed above, to have become established as a source-identifier of the Complainant's books and various commercial activities. Moreover, the Complainant himself operated a website at the disputed domain name until the disputed domain name was allowed to lapse, prior to its re-registration by the Respondent, which website had for a substantial period been associated with the Complainant and his online presence.

The Respondent has provided no explanation for its choice of the disputed domain name for the purpose of links to online casino websites, nor does the Panel consider it plausible that any legitimate explanation for that choice could be established. The Panel infers in the circumstances that the Respondent registered the disputed domain name in the knowledge of the Complainant's PETER KOLCHINSKY trademark, and of the Complainant's own prior use of the disputed domain name for the purpose of a website, and registered the disputed domain name in order to take unfair commercial advantage of the Complainant's rights and reputation. The circumstances indicate, in particular, that the Respondent acquired the disputed domain name following its expiry, and has sought to capitalize on the Internet traffic and goodwill associated with the Complainant's earlier use.

The Respondent has used the disputed domain name to resolve to online casino websites, having no plausible connection with the disputed domain name, and from which the Panel infers that the Respondent has derived, or intended to derive, commercial revenues. In the view of the Panel, therefore, the Respondent has used the disputed domain name to misrepresent to Internet users that that disputed domain name must be owned or operated by, or otherwise commercially associated with, the Complainant. More specifically, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel therefore finds that the third element under the Policy has been established.

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 <peterkolchinsky.com> be transferred to the Complainant.

/Steven A. Maier /

Steven A. Maier

Sole Panelist

Date: September 16, 2026