ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Nanobiotix v. Gina Yu
Case No. D2026-3928

1. The Parties

The Complainant is Nanobiotix, France, represented by Dreyfus & associés, France.

The Respondent is Gina Yu, United States of America.

2. The Domain Name and Registrar

The disputed domain name <nanobiotix.xyz> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 2, 2026. On September 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 3, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 3, 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 September 3, 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 September 11, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 3, 2026.

The Center appointed Pascal Böhner as the sole panelist in this matter on October 6, 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 French biotechnology company incorporated in 2003 and headquartered in Paris, France. For more than two decades, the Complainant has operated under the NANOBIOTIX name and has pioneered physics-based therapeutic approaches, particularly in the field of oncology.

The Complainant is the owner of registered trademarks for NANOBIOTIX, including:

- United States trademark registration No. 4248032, registered on November 27, 2012, covering goods and services in classes 5, 10, 42 and 44;
- International trademark registration No. 1102523, designating inter alia China, Egypt, Russian Federation, and the European Union, registered on November 9, 2011, covering goods in classes 5, 10, 42, and 44.

The Complainant also operates the domain name <nanobiotix.com>, registered on July 26, 2001, through which it promotes its business.

According to the Registrar's verification, the disputed domain name was registered on May 1, 2026. The case file shows that the disputed domain name resolves to a webpage on a GoDaddy "domain for sale" platform, where it is offered for sale for USD 1,950, or alternatively on a lease-to-own basis for USD 325 per month.

The Respondent did not submit a Response in this proceeding.

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 submits that the disputed domain name reproduces its NANOBIOTIX trademark in its entirety, that the Respondent has no rights or legitimate interests in the disputed domain name, and that the disputed domain name was registered and is being used in bad faith, in particular as it is being offered for sale to third parties on an open marketplace.

B. Respondent

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

6. Discussion and Findings

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 for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The addition of the ".xyz" generic Top-Level Domain ("gTLD") is viewed as a standard registration requirement and is disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

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. 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 record indicates that the disputed domain name resolves to a third-party marketplace page offering it for sale or lease. Such use does not amount to a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy, nor to a legitimate noncommercial or fair use under paragraph 4(c)(iii) of the Policy. There is no evidence that the Respondent is commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy.

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.

The NANOBIOTIX mark is a coined term with no apparent meaning other than as an identifier of the Complainant and its business. The disputed domain name reproduces this mark in its entirety, without any addition other than the gTLD. Panels have held that the registration of a domain name that is identical to a complainant's distinctive mark, absent any rights or legitimate interests on the part of the respondent, and absent any credible explanation for such registration, supports an inference that the respondent registered the disputed domain name with the Complainant's trademark in mind. WIPO Overview 3.1, section 3.1.4.

The Panel further notes that the disputed domain name is being actively used to offer it for sale or lease to the public at large, for a commercial price. Such use of a domain name that is identical to a distinctive third-party mark, for the purpose of monetizing it as a commercial asset, without any rights or legitimate interests, is indicative of an intent to take unfair advantage of the Complainant's trademark rights.

The Respondent's failure to participate in these proceedings, and the absence of any explanation for the choice of the disputed domain name, reinforce the Panel's conclusion that the disputed domain name was registered and is being used in 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 <nanobiotix.xyz> be transferred to the Complainant.

/Pascal Böhner/
Pascal Böhner
Sole Panelist
Date: October 20, 2026