ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Bayer AG v. Henry Banzino, Taofeek Ismail
Case No. D2026-3998

1. The Parties

The Complainant is Bayer AG, Germany, represented by pm.legal, Germany.

The Respondents are Henry Banzino, United States of America, and Taofeek Ismail, United States of America.

2. The Domain Names and Registrar

The disputed domain names <bayer-se.com>, <bayer-sw.com>, <bayer-swe.com>, <se-bayer.com>, and <sw-bayer.com> are registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 6, 2026. On September 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 9, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondents (Registration Private/Domains By Proxy, LLC) and contact information in the Complaint.

The Center sent an email communication to the Complainant on September 9, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on September 14, 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 Respondents of the Complaint, and the proceedings commenced on September 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on October 7, 2026.

The Center appointed Catherine Slater as the sole panelist in this matter on October 13, 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 global enterprise with interests in healthcare, nutrition, and plant protection and which has its headquarters in Leverkusen, Germany. The Complainant's stock is included in major share indices, traded on all German stock exchanges and included in the DAX 40, a Blue-Chip stock market index consisting of the 40 major German companies trading on the Frankfurt Stock Exchange.

The Complainant has more than 89,000 employees worldwide and does business in 80 countries on all five continents. It manufactures and sells products including human pharmaceutical and medical care products, diagnostic products, and agricultural chemicals.

The Complainant owns the following trademark registrations:

- International Trademark No. 1462909 for BAYER (plain word) registered on November 28, 2018; and
- International Trademark No.1476082 for BAYER (plain word) registered on December 10, 2018.

The Complainant operates websites located at domain names including <bayer.com>, <bayer.co.nz>, and <bayer.be>.

The disputed domain names were registered as follows:

<bayer-se.com> on July 6, 2026;
<se-bayer.com> on July 6, 2026;
<bayer-sw.com> on July 7, 2026;
<sw-bayer.com> on July 10, 2026; and
<bayer-swe.com> on July 16, 2026.

On September 3, 2026, and at the date of this Decision, none of the disputed domain names were used in connection with an active website. However, two of the disputed domain names were allegedly used for fraudulent recruitment emails impersonating the Complainant and seeking payments from job applicants.

5. Parties' Contentions

A. Complainant

The Complainant makes a request for consolidation on the basis that the disputed domain names all have been registered by the same person, have been registered within a short period of time, have not been used for an active website, have been registered with the same Registrar, share the identical Russian mail server entries "mx.yandex.com" which are not the Registrar's standard entries, include "Bayer" with a geographical identifier and that the WhoIs information contains the same address and identical phone number.

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 BAYER trademark because they all fully incorporate that trademark with the additional letters "se", "sw", and "swe", which all refer to Sweden. ("SWE" and "SE" being respectively the ISO-3166-1 alpha-3 and ISO-3166-1 alpha-2 country codes for Sweden).

The Complainant further contends that the Respondents have no rights or legitimate interests in respect of the disputed domain names because the Complainant has not licensed or otherwise permitted the Respondents to use any of its trademarks or to apply for/use any domain name incorporating the BAYER trademark, there is no evidence of the Respondents' use of, or demonstrable preparations to use the disputed domain names in connection with a bona fide offering of goods or services, there is no evidence that the Respondents are making a legitimate non-commercial or fair use of the disputed domain names or that they are commonly known by the disputed domain names.

The Complainant further contends that the disputed domain names were registered and are being used in bad faith. In relation to registration, the Complainant contends that it is inconceivable that the Respondents registered the disputed domain names being unaware of the Complainant and its rights in its highly distinctive and well-known BAYER trademark and that the deliberate targeting is demonstrated by use of its "Bayer Cross" logo. In relation to use, the Complainant contends that the disputed domain names are being used for fraudulent activities in that emails have been sent to third parties from email addresses associated with the disputed domain names <sw-bayer.com> and <bayer-swe.com> to make false job offers, that the use of the disputed domain names incorporating a trademark unmistakably connected with the Complainant constitutes opportunistic bad faith and that the Respondents' use is calculated to disrupt the Complainant's business by diverting visitors from the Complainant's website.

B. Respondents

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

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.11.2.

As regards common control, the Panel notes that:

- all the disputed domain names were registered through the same Registrar;
- all the disputed domain names were registered within a 10-day period between July 6 and July 16, 2026;
- all the disputed domain names have a similar naming pattern in that they all contain the word BAYER, a hyphen and term that is (or in the case of "sw" is intended to be seen as) a geographic reference to Sweden;
- the WhoIs information includes an identical telephone number for all the disputed domain names;

- the WhoIs information contains a similar postal address for all the disputed domain names which differs only in the "Ste Number" which presumably refers to the "suite" within the building; and
- two of the disputed domain names were allegedly used for similar fraudulent recruitment emails impersonating the Complainant and seeking payments from job applicants, further connecting the different domain name registrants.

The Panel further notes that Taofeek Ismail has been named as a respondent in the previous UDRP case, *Bayer AG v. Stobart Mike and Taofeek Ismail*, WIPO Case No. D2025-1714, which concerns various domain names containing the term "bayer", a hyphen and a term that is, or is likely intended to be seen as, a geographic reference (i.e. with a similar naming pattern to the disputed domain names in this proceeding) and in which a consolidation request was successfully made. The Panel considers that these circumstances indicate a prior pattern of similar behaviour.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

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 a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the mark is recognizable within 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, section 1.7.

Although the addition of other terms here, "se", "sw", and "swe", may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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 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.

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 order to demonstrate that the disputed domain names were registered in bad faith, the Complainant must show that the Respondent knew, or should have known, of its trademark, and registered them with the intention of taking unfair advantage of it. The Panel finds that the Complainant's trademark is well-known. Given that finding and together with the fact that the disputed domain names reproduce the Complainant's trademark identically (with the addition of a mere geographical term or term that is likely intended to be seen as such) and that the Respondent has provided no explanation for its selection of the disputed domain names, the Panel infers that the Respondent registered the disputed domain names with the Complainant's trademark in mind, and with the intention of taking unfair commercial advantage of that trademark.

In view of the well-known nature of the Complainant's trademark and the identical reproduction of the Complainant's trademark within the disputed domain names with only the addition of a geographical term (or term intended to be seen as such), the Panel finds it impossible to conceive of any use that the Respondent could make of the disputed domain names without misrepresenting to Internet users that the disputed domain names are owned or operated by, or otherwise commercially affiliated with, the Complainant. The Panel therefore infers that the Respondent has maintained the disputed domain names for the purpose of taking possible unfair commercial advantage of the Complainant's goodwill in its trademark.

Panels have categorically held that the use of a domain name for illegal activity (e.g. phishing/identity theft and/or other types of fraud such as fraudulent email scheme) may constitute bad faith. WIPO Overview 3.1, section 3.4. The Complainant has alleged that two of the disputed domain names have been used for fraudulent recruitment emails impersonating the Complainant and seeking payments from job applicants. In this regard, the evidence submitted consists of the body of the text of two emails from a person/persons who has/have received fraudulent emails. However, the attachments (which contain those fraudulent emails) have been omitted from the evidence. The Panel notes that the evidence would have been more complete had the underlying fraudulent emails been provided. Nevertheless, on the balance of probabilities, and in the absence of a contestation from the Respondent, the Panel considers the evidence submitted sufficient to support the Complainant's allegation that the two disputed domain names were used for fraudulent recruitment emails and that it constitutes bad faith.

Panels 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. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes (i) the reputation of the Complainant's trademark, (ii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the composition of the disputed domain names, and finds that in the circumstances of this case the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

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 names <bayer-se.com>, <bayer-sw.com>, <bayer-swe.com>, <se- bayer.com>, and <sw-bayer.com> be transferred to the Complainant.

/Catherine Slater/
Catherine Slater
Sole Panelist
Date: October 27, 2026