ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Modernatx, Inc. v. Chesko
Case No. D2026-4101

1. The Parties

Complainant is Modernatx, Inc., United States of America ("United States"), internally represented.

Respondent is Chesko, American Samoa, United States, self-represented.

2. The Domain Name and Registrar

The disputed domain name <modernabank.com> is registered with Porkbun LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 11, 2026. On September 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 15, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (Unknown / Not disclosed, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on September 15, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on September 16, 2026, along with a Supplemental Filing.

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 Respondent of the Complaint, and the proceedings commenced on September 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 11, 2026. Respondent sent email communications to the Center on September 16, 2026, September 21, 2026, September 23, 2026, and October 21, 2026. The Center sent an email regarding possible settlement to the Parties on September 17, 2026. On September 18, 2026, Complainant confirmed that it did not wish to explore

settlement and did not request a suspension. Complainant filed an additional Supplemental Filing ("Complainant's Second Supplemental Filing") on October 20, 2026.[1] The Center notified the Parties of the commencement of panel appointment process on October 14, 2026.

The Center appointed Jeffrey D. Steinhardt as sole panelist in this matter on October 28, 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

Complainant is a well-known biotechnology company that develops messenger RNA medicines to prevent and treat diseases, including one of the first COVID-19 vaccines, in use worldwide.

Complainant owns a large portfolio of trademarks around the world for its MODERNA family of marks including, for example: MODERNA, United States Trademark Registration No. 4811834, registered in International Class 42 on September 15, 2015; and United States Trademark Registration No. 7279640, for the stylized word "MODERNA" centered over a dashed line, registered in International Classes 1, 5 and 42 on January 16, 2024.

The disputed domain name was registered on August 19, 2026, and currently resolves to a website that makes use of Complainant's MODERNA logo and presents similar branding elements to those that Complainant has used on Complainant's official website at "www.modernatx.com".

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Complainant alleges that the appearance on the website to which the disputed domain name resolves, showing visual elements similar to those used by Complainant, supports the inference that Respondent intends to deceive the public into thinking that Respondent's website is affiliated with Complainant. Complainant also notes that the domain name was configured by Respondent with MX records to facilitate emails using the domain name including Complainant's marks, thus creating a possibility of deceiving consumers.

Once Complainant received Respondent's email communications to the Center, Complainant alleged in its Second Supplemental Filing that Respondent's bad faith was further supported by Respondent's continuing to permit the display of the website at the disputed domain name even after commencement of these proceedings.

B. Respondent

Respondent did not submit a formal Response to Complainant's contentions, but instead sent the Center four separate email communications over a period of just over one month. In its first communication on September 16, 2026, Respondent stated, among other things, that "I am willing to voluntarily transfer modernabank.com to the Complainant in order to resolve this domain name dispute." Respondent's consent to transfer was expressed without admission of liability or wrongdoing. In its September 23, 2026, communication, Respondent stated that it had registered the disputed domain name as a technical service provider for a client and denied any intention of infringing

[1] The substance of some of the Parties' respective correspondence with the Center and supplemental filings are described below.

Complainant's trademark or acting in bad faith. In its October 21, 2026, communication, Respondent also stated that it was awaiting instructions from the Center before making changes or removing the content displayed on the website to which the disputed domain name resolved.

Respondent confirmed its willingness to make the voluntary transfer in Respondent's emails of September 21, 2026, and September 23, 2026.

6. Discussion and Findings

As described above, Respondent stated that it had registered the disputed domain name as a technical service provider for a client and denied any intention of infringing Complainant's trademark or acting in bad faith. Respondent, however, does not disclose the identity of its alleged client and does not provide any evidence about any arrangements with the same in respect of the ownership and control over the disputed domain name. It is also plausible that this was an excuse to escape its responsibility under the Policy.

As stated in paragraph 1 of the Rules, Respondent is the holder of a domain-name registration against which a complaint is initiated.

Considering the above, the Panel finds that the Registrar-confirmed registrant is the proper Respondent in these proceedings.

Respondent several times communicated its consent to the transfer sought by Complainant. The Panel notes that despite the willingness of Respondent to transfer the disputed domain name, Complainant stated that it does not wish to explore settlement and does not seek a suspension.

The Panel finds, therefore, that Respondent has consented to transfer of the disputed domain name.

Rule 10(a) gives panels the discretion to conduct proceedings in such manner as they deem appropriate under the Policy and the Rules. Under Rule 10(c), the Panel must "ensure that the proceeding takes place with due expedition".

The Panel concludes that Respondent's consent provides a basis for an immediate order for transfer.

Where the complainant has sought transfer of a disputed domain name, and the respondent consents to transfer, then pursuant to paragraph 10 of the Rules the panel can order transfer and it is unnecessary for the panel to determine whether the complainant has established its entitlement to transfer under paragraph 4(a) of the Policy. E.g., *The Cartoon Network LP, LLLP v. Mike Morgan*, WIPO Case No. D2005-1132 (where complainant sought transfer of the disputed domain name, and respondent consented to transfer, paragraph 10 of the Rules permits a panel to proceed immediately to make an order for transfer without determination of elements of paragraph 4(a)), citing *Williams-Sonoma, Inc. v. EZ-Port*, WIPO Case No. D2000-0207.

This is clearly the most expeditious course.[2]

[2] The Panel finds that this disposition renders it unnecessary to admit or consider the well-presented Supplemental Filing and Second Supplemental Filing by Complainant.

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 <modernabank.com> be transferred to the Complainant.

/Jeffrey D. Steinhardt/
Jeffrey D. Steinhardt
Sole Panelist
Date: November 11, 2026