

ADMINISTRATIVE PANEL DECISION

A. Menarini Industrie Farmaceutiche Riunite S.r.l. v. Name Redacted
Case No. DLA2025-0001

1. The Parties

The Complainant is A. Menarini Industrie Farmaceutiche Riunite S.r.l., Italy, represented by Società Italiana Brevetti S.p.A., Italy.

The Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name <menarini.la> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 28, 2025. On November 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 28, 2025, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 3, 2025, 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 December 5, 2025.

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”).

¹ The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding the transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST 12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on December 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 2, 2026.

The Center appointed Gökhan Gökçe as the sole panelist in this matter on January 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, Menarini Industrie Farmaceutiche Riunite S.r.l., is an Italian pharmaceutical company headquartered in Florence, Italy. Established in 1886, the Complainant develops treatments for cardiovascular diseases, oncology, pain, inflammation, asthma, and infections. The Complainant has established a global presence through its operations in 140 countries and a workforce of more than 17,000 employees.

The Complainant is the owner of the following trademark registrations;

- International trademark MENARINI (word) Reg. No. 531991, registered on December 13, 1988,
- European Union trademark MENARINI (word) Reg. No. 8229015 registered on May 31, 2010,
- India trademark MENARINI (word) Reg. No. 1550451 registered on October 22, 2010, and
- Laos trademark MENARINI (word) Reg. No. 29236 registered on October 8, 2014.

The Complainant operates the domain names <menarini.it> and <menarini.com>

The disputed domain name was registered on April 24, 2025.

According to the screenshots provided by the Complainant, the disputed domain name previously resolved to a domain parking page containing Pay-Per-Click ("PPC") links including references to the Complainant and its field of activity e.g., "Menarini Products",

However, at the time of the Panel's visit to the disputed domain name, the disputed domain name did not resolve to any such content. Instead, the browser displayed "This site can't be reached. menarini.la CONNECTION REFUSED".

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.

Notably, the Complainant contends that:

- the disputed domain name is confusingly similar to the Complainant's trademark;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name was registered and is being used in bad faith.

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 on the basis of the statements and documents submitted and 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.

Paragraph 4(a) of the Policy states that the Complainant bears the burden of proving that all these requirements are fulfilled, even if the Respondent has not replied to the Complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by the Complainant, the Panel may, where relevant, accept the reasonable factual allegations provided in the Complaint as true. See section 4.3 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)").

For the evaluation of this case, the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistently with the consensus views stated 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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 3.0](#), section 1.7.

The addition of the country code Top Level Domain ("ccTLD") ".la" is viewed as a standard registration requirement and as such is disregarded, in line with [WIPO Overview 3.0](#), section 1.11.1. Accordingly, the disputed domain name is considered identical to the Complainant's MENARINI trademark.

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 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 3.0](#), 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.

In the case at hand, the Complainant asserts that the Respondent has no license or other authorization to use the Complainant’s trademark in the disputed domain name or in any other way. The Respondent, on the other hand, is in default and thus has not come forward with evidence to rebut the Complainant’s *prima facie* case. Nonetheless, the Panel will review the record to see whether the Respondent might have rights or legitimate interests in the disputed domain name per Policy paragraphs 4(c)(i), (ii) and (iii). In doing so, the Panel will accept as true all reasonable contentions of the Complainant. [WIPO Overview 3.0](#), section 2.1. Per Policy paragraph 4(c)(i), the Respondent can show rights and legitimate interests in the disputed domain name if it shows that, before being notified of this dispute, it was using the disputed domain name to make a bona fide offering of goods and services.

The Panel finds that the use of the disputed domain name for a parking page featuring PPC links in the circumstances of this case does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use. As shown by the screenshot submitted in the Complaint, the disputed domain name resolves to a parked page (via a registrar/parking service) displaying “relevant searches” and PPC-style links, including a link expressly referring to the Complainant and its field (e.g., “Menarini Products”).

The Panel notes section 2.9 of the [WIPO Overview 3.0](#), which reflects the consensus view that parked pages comprising PPC links do not support rights or legitimate interests where the links are designed to trade off, target, or capitalize on a complainant’s mark and goodwill, or otherwise mislead Internet users; by contrast, PPC parking may be permissible where a domain name consists of a genuine dictionary term used for links related to its dictionary meaning. Here, the disputed domain name reproduces the Complainant’s coined trademark MENARINI and does not consist of a dictionary word or phrase. Moreover, the displayed PPC links (including “Menarini Products”) plainly target and capitalize on the Complainant’s trademark and reputation and therefore cannot confer rights or legitimate interests on the Respondent.

The record also shows that the Respondent has engaged in identity theft, in adopting the Complainant’s Board member’s name as a domain name registrant.

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.

In the present case, the Panel notes that the Respondent must have been aware of the Complainant’s trademark as the disputed domain name was registered approximately 37 years after the registration of the

Complainant's trademark. The Panel finds that it is improbable that the Respondent was not aware of the MENARINI mark since a quick Internet search would reveal the existence of the MENARINI mark. Moreover, the case record shows that the Respondent registered the disputed domain name using the name of a member of the Board of the Complainant, which is a clear indication that the Respondent had the Complainant and its MENARINI trademarks in mind when registering the disputed domain name.

In addition, the case record indicates that the Respondent's postal address and contact details as provided to the Registrar are inconsistent and appear to be inaccurate or false. In particular, the listed address details refer to "florence" and include a postal code which corresponds to Florence, Italy, while the recorded Country is "India" and the telephone number bears an Indian country code (+91). Such mismatched address and contact information further support a finding of bad faith, as it suggests an attempt to conceal the Respondent's identity and/or create a misleading association with the Complainant.

Therefore, the Panel concludes that the Respondent was aware of the Complainant's prior rights when it registered the disputed domain name.

In addition, the Panel accepts the failure of the Respondent to submit a response to the Complainant's contentions as an additional indication of 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 3.0](#), section 3.2.1.

The Panel notes that at the time of filing the Complaint disputed domain name resolved to a website with PPC links. The Panel finds that per paragraph 4(b)(iv) of the Policy, the Respondent registered and used the disputed domain name to attract Internet users by creating a likelihood of confusion with the Complainant's mark.

The fact that at the time of rendering of this decision the disputed domain name did not resolve to active website does not alter the Panel's findings (see section 3.3 of the [WIPO Overview 3.0](#)).

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 <menarini.la> be transferred to the Complainant.

/Gökhan Gökçe/
Gökhan Gökçe
Sole Panelist
Date: January 20, 2026