

ADMINISTRATIVE PANEL DECISION

Les Laboratoires Servier v. Ahmedan Campbell
Case No. DNL2025-0025

1. The Parties

The Complainant is Les Laboratoires Servier, France, represented by IP Twins, France.

The registrant of the disputed domain name is Ahmedan Campbell, United States of America, (the “Respondent”).

2. The Domain Name and Registrar

The disputed domain name <servierapotheke.nl> is registered with SIDN through Key-Systems GmbH, (the “Disputed Domain Name”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 16, 2025. On July 16, 2025, the Center transmitted by email to SIDN a request for registrar verification in connection with the Disputed Domain Name.

On July 17, 2025, SIDN 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 and contact information in the Complaint.

The Center sent an email communication to the Complainant on July 21, 2025, providing the information disclosed by SIDN, and inviting the Complainant to amend the Complaint in this light. The Complainant filed an amended Complaint on July 21, 2025.

The Center verified that the Complaint as amended satisfies the formal requirements of the Dispute Resolution Regulations for .nl Domain Names (the “Regulations”).

In accordance with the Regulations, articles 5.1 and 16.4, the Center formally notified the Respondent of the Complaint and the proceedings commenced on July 23, 2025. In accordance with the Regulations, article 7.1, the due date for Response was August 12, 2025. The Center did not receive any response. Accordingly, the Center notified the Respondent’s default on August 15, 2025.

The Center appointed Rogier de Vrey as the panelist in this matter on August 22, 2025. The Panel finds that it was properly constituted. The Panelist has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required to ensure compliance with the Regulations, article 9.2.

4. Factual Background

The Complainant is part of the Servier Group, a multinational pharmaceutical group founded in 1954.

The Complainant is the owner of multiple International and European Union trademarks, which consist of or include the term “Servier”. The trademark registrations include, but are not limited to, the following earlier rights:

- International trademark registration designating inter alia the Benelux with number 814214, for SERVIER, registered August 5, 2003;
- European Union trademark registration with number 004279171, for SERVIER, registered October 15, 2007; and
- European Union trademark registration with number 016750275, for SERVIER, registered September 19, 2017.

The Disputed Domain Name incorporates the word “Servier”. The Complainant’s trademark registrations predate the registration of the Disputed Domain Name, as the Disputed Domain Name was registered on April 29, 2025.

The Complainant is also holder of numerous domain names incorporating or comprising its SERVIER trademark as second-level domain, following Annex 7 of the Complaint, including e.g. <servier.nl>.

The Complainant has not licensed or otherwise permitted the Respondent to use its trademark.

5. Parties’ Contentions

A. Complainant

Firstly, the Complainant asserts that the Disputed Domain Name is confusingly similar to the Complainant’s SERVIER trademarks, as the Disputed Domain Name includes: (i) the word element “servier” which is identical to the Complainant’s trademarks; (ii) the word “apotheker”, which means “pharmacy” in the German language and is directly related to the Complainant’s area of business. The Disputed Domain Name could therefore cause the confusion that it refers to an online store managed or endorsed by the Complainant or one of its affiliates.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the Disputed Domain Name, as the Respondent is not commonly known by the Disputed Domain Name. The SERVIER trademark is a surname of one of the founders of the Servier Group and has no specific meaning in the French, English, Dutch, or German language in light of the generic term “apotheker” in the second-level domain of the Disputed Domain Name. Servier is no descriptive term essential in the course of the Respondent’s business.

Additionally, SERVIER is exclusively used by the Servier Group, considering its historical and economic success. There is no evidence from which it can be inferred that the Respondent is making legitimate use of the word “servier”, for example in the sense of a trade name or trademark. This has been demonstrated by the Complainant in Annex 13.1 – 13.5 and 14 of the Complaint. These annexes show that the Servier Group is the legitimate holder of the SERVIER trademark. Additionally, the Complainant has not licensed or otherwise permitted the Respondent to use its trademark.

The Complainant further asserts that the Respondent is not making a legitimate noncommercial use of the domain name, without intent for commercial gain to misleadingly divert consumers, as the Disputed Domain Name redirects to an online store associated with another domain name, <pillen-rezeptfrei-kaufen.de>, which the Complainant demonstrates in Annex 15.1 – 15.3 of the Complaint.

At last, the Complainant asserts that the Disputed Domain Name has been registered and is being used in bad faith, as the Disputed Domain Name is confusingly similar to the Complainant's distinctive (it being a surname) and internationally well-known trademark, which – if you search for “servier” online – only refers to the Complainant. Consequently, the Respondent must have known the prior rights and wide use of SERVIER when registering the Disputed Domain Name, especially as the website to which the Disputed Domain Name redirects relates to the pharmacy industry. By subsequently using the Disputed Domain Name, which related to both the Servier surname and the pharmacy industry, the Complainant strongly believes that the Respondent registered and is using the Disputed Domain Name for commercial gain and should therefore be qualified as use in bad faith.

B. Respondent

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

6. Discussion and Findings

Based on article 2.1 of the Regulations, a claim to transfer a domain name must meet three cumulative conditions:

- a. the domain name is identical or confusingly similar to a trademark, tradename or geographical indication protected under Dutch law in which the complainant has rights, or a personal name registered in the General Municipal Register (in Dutch: 'gemeentelijke basisadministratie') of a municipality in the Netherlands, or the name of a Dutch public legal entity or the name of an association or foundation registered in the Netherlands under which the complainant undertakes public activities on a permanent basis; and
- b. the registrant has no rights to or legitimate interests in the domain name; and
- c. the domain name has been registered or is being used in bad faith.

As the Respondent has not filed a Response, the Panel shall rule based on the Complaint. In accordance with article 10.3 of the Regulations, the Complaint shall in that event be granted, unless the Panel considers it to be without basis in law or in fact.

A. Identical or Confusingly Similar

The Panel finds that the Complainant has established the requirement of article 2.1(a) of the Regulations.

To comply with Article 2.1(a) of the Regulations, two requirements must be met: (1) the Complainant has rights in e.g., a trademark; and (2) the Disputed Domain Name is identical or confusingly similar to such trademark.

As regards the first requirement, the Complainant has provided sufficient documentary evidence that it is the owner of several SERVIER trademarks.

Concerning the second requirement, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's trademarks, as it contains the Complainant's registered trademark SERVIER in its entirety, with the addition “apotheke” which means pharmacy in the German language. The mere addition of other words to a trademark in a domain name does not prevent a finding of confusing similarity where the

trademark is recognizable within the domain name (see *Euromaster Services et Management v. Privacy Protected by Hostnet*, WIPO Case No. [DNL2024-0032](#); *Entain Operations Limited v. Annika Gerhardt*, WIPO Case No. [DNL2024-0043](#)).

The Panel finds the Disputed Domain Name therefore confusingly similar to the Complainant's trademarks.

B. Rights or Legitimate Interests

The Panel finds that the Complainant has established the requirement of Article 2.1 (b) of the Regulations that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

Based on the evidence submitted by the Complainant, the Disputed Domain Name redirects to an online store associated with another domain name <pillen-rezeptfrei-kaufen.de>, which is German for "buying pills without a prescription". The Complainant submitted a screenshot of the website, which shows that the website is dedicated to the sale of prescription-free medical drugs (in particular medicine for erectile dysfunction). The Panel notes that the Complainant did not demonstrate that the domain name <pillen-rezeptfrei-kaufen.de> is also held by the Respondent, in order to gain commercial advantage by this redirection. Nevertheless, the Respondent's use of the Complainant's mark to redirect users (e.g., to a competing site) on its own stands in the way of a claim to rights or legitimate interests in the Disputed Domain Name (see [WIPO Overview 3.0](#), section 2.5.3, see *Carlos Alberto Vives Restrepo v. WSJ Trade / Wilman Villegas*, WIPO Case No. [D2015-0919](#))¹. Further, it cannot reasonably be regarded as accidental that the Disputed Domain Name contains both the well-known name that comprises the Complainant's trademark and the word "apotheke". This deliberate combination strongly suggests an intention to attract and redirect potential customers to the online medicine store at the domain name <pillen-rezeptfrei-kaufen.de> by capitalizing on the reputation associated with the Complainant's trademarks.

The Panel notes that, based on the evidence provided by the Complainant, the Respondent is not making any bona fide use of the Disputed Domain Name in connection with an offering of goods or services, nor is there any indication in the record of this case that the Respondent is commonly known by the Disputed Domain Name. There is no commercial connection between the Complainant and the Respondent. The Respondent's use and registration of the Disputed Domain Name was not authorized by the Complainant, as the Complainant has not licensed or otherwise permitted the Respondent to use its trademark. Moreover, nothing on the website indicates a legitimate reason why the Respondent would choose to register a domain name including the term "servier" (see *Booking.com BV v. Chen Guo Long*, WIPO Case No. [D2017-0311](#)).

The Panel notes that the manner of use of the Disputed Domain Name is also relevant for determining rights and legitimate interests (see *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#)). Given that the Disputed Domain Name, which is confusingly similar to the Complainant's trademark, is used with the obvious intention of deriving advantage from user confusion by redirecting the user to a different webpage, the manner of use of the Disputed Domain Name cannot lead to the determination that the Respondent has legitimate interests in respect of the Disputed Domain Name.

The Panel further notes that the composition of the Disputed Domain Name – which combines the Complainant's trademark with a term referencing the Complainant's area of business – also carries a risk of implied affiliation with the Complainant. This cannot constitute fair use either under the circumstances of this proceeding (see [WIPO Overview 3.0](#), section 2.5.1).

Based on the foregoing, the Panel concludes that the Complainant has established a prima facie case that the Respondent does not have any rights to or legitimate interests in the Disputed Domain Name, while the Respondent has failed to come forward with any evidence to the contrary.

¹ Due to the similarities between the Regulations and the Uniform Domain Name Dispute Resolution Policy ("UDRP"), the Panel will consider and apply WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") and decisions issued under the UDRP as it deems appropriate.

Accordingly, the Panel concludes that the Respondent does not have any rights to or legitimate interests in the Disputed Domain Name.

C. Registered or Used in Bad Faith

The Panel finds that the Complainant has established the requirement of article 2.1(c) of the Regulations.

Firstly, the Respondent has registered and used the Disputed Domain Name, which incorporates the Complainant's well-known trademark, with the addition of a term referencing the Complainant's area of business. The Disputed Domain Name redirects to a website offering prescription free medicine, despite the Respondent not having any rights or legitimate interests in the Disputed Domain Name. Consequently, the Panel finds that the use of the Disputed Domain Name may divert the Complainant's potential customers to the website the Disputed Domain Name redirects to. The clear absence of rights and legitimate interests coupled with no credible explanation for the Respondent's choice of the Disputed Domain Name, are considered to be indicators of bad faith registration (see [WIPO Overview 3.0](#), section 3.2.1).

Secondly, the Panel notes that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity, particularly when the domain name consists of the mark plus a descriptive term, can by itself create a presumption of bad faith (see [WIPO Overview 3.0](#), section 3.1.4, and *Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#)). The Complainant's group has a long history and is well known for its products and services. The Panel finds it therefore unconceivable that the Respondent could have registered the Disputed Domain Name without knowledge of the Complainant's trademark when the Respondent applied for the registration on April 29, 2025.

Thirdly, the Disputed Domain Name redirecting users to another online location, being the online medicine store at the domain name <pillen-rezeptfrei-kaufen.de>, evidences that the Disputed Domain Name is being used for commercial gain by attracting Internet users to another online location through the likelihood of confusion which may arise by capitalizing on the reputation associated with the Complainant's trademarks.

Finally, even if the Disputed Domain Name would not resolve to an active website, this could still support the finding of bad faith under the doctrine of passive holding (see [WIPO Overview 3.0](#), section 3.3) given the circumstances of this case, including the composition of the Disputed Domain Name.

Accordingly, the Panel concludes that the Disputed Domain Name has been registered and used by the Respondent in bad faith.

7. Decision

For all the foregoing reasons, in accordance with articles 1 and 14 of the Regulations, the Panel orders that the Disputed Domain Name <servierapotheke.nl> be transferred to the Complainant.

/Rogier de Vrey/

Rogier de Vrey

Panelist

Date: September 5, 2025