

ADMINISTRATIVE PANEL DECISION

Academisch Ziekenhuis Leiden h.o.d.n. Leids Universitair Medisch Centrum (LUMC) v. Andreas Andreou
Case No. DNL2025-0027

1. The Parties

The Complainant is Academisch Ziekenhuis Leiden h.o.d.n. Leids Universitair Medisch Centrum (LUMC), Netherlands (Kingdom of the), represented by La Gro B.V, Netherlands (Kingdom of the).

The registrant of the disputed domain name is Andreas Andreou, Cyprus, (the “Respondent”).

2. The Domain Name and Registrar

The disputed domain name <curium-lumc.nl> (the “Disputed Domain Name”) is registered with SIDN through Registrar.eu (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 5, 2025. On August 5, 2025, the Center transmitted by email to SIDN a request for registrar verification in connection with the Disputed Domain Name.

On August 6, 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 (Onbekend/afgeschermd) and contact information in the Complaint.

The Center sent an email communication to the Complainant on August 6, 2025, providing the information disclosed by SIDN, as well as in respect to the language of the proceedings, and inviting the Complainant to amend the Complaint in this light. The Complainant filed an amended Complaint on August 7, 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 August 8, 2025. In accordance with the Regulations, article 7.1, the due date for Response was August 28, 2025. The Center did not receive any response. Accordingly, the Center notified the Respondent’s default on August 29, 2025.

The Center appointed Rogier de Vrey as the panelist in this matter on September 1, 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 a university hospital located in the city of Leiden, the Netherlands. The mental health care and in particular child and adolescent psychiatry department of the Complainant is known as "Curium".

The Complainant is the owner of multiple registered Benelux trademarks which consist of or include the sign "LUMC", such as:

- Benelux trademark registration with filing number 1045778 for LUMC (word), dated December 11, 2003;
- Benelux trademark registration with filing number 1045779 for LUMC (figurative), dated December 12, 2003.

The Complainant has also been using the trade name LUMC since 1996. The Complainant's trademark registrations and the use of its trade name predate the current registration of the Disputed Domain Name as the Disputed Domain Name was registered on June 1, 2025. The Complainant claims it previously owned the Disputed Domain Name and, after it requested its cancellation, such was registered by the Respondent.

On July 24, 2025, the Complainant sent an email to the Registrar, through which requested the contact information of the Respondent and that the Disputed Domain Name be taken offline. The Complainant subsequently received a response from Openprovider, a wholesale provider of domain names, who confirmed that the reseller of the Disputed Domain Name blocked the website published under said Disputed Domain Name. Thus, at the time of filing the Complaint and rendering this Decision, the Disputed Domain Name leads to an inactive page.

5. Parties' Contentions

A. Complainant

Firstly, the Complainant asserts that the Disputed Domain Name is confusingly similar to the Complainant's trademarks and trade name as the Disputed Domain Name incorporates the word element "LUMC", and it is standard practice of the Panel to conclude that a domain name is confusingly similar to a trademark if that domain name incorporates the entirety of that trademark.

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. According to the Complainant, it was the rightful holder of the identical domain name <curium-lumc.nl> in the past and, after it was cancelled, it appears that the Respondent bought the Disputed Domain Name and published a website under the Disputed Domain Name that is a copy of the Complainant's former website published under that identical domain name <curium-lumc.nl>. Additionally, the Complainant asserts that there is no evidence of (i) products or services offered on the website published under the Disputed Domain Name, (ii) investments made in website development, (iii) a business plan using the Disputed Domain Name, (iv) bona fide registration or use of related domain names or (v) other evidence that does not indicate cybersquatting intent. Moreover, the Complainant argues that by copying the Complainant's former website published under the identical domain name <curium-lumc.nl>, the Respondent is misleading patients by making it seem like the website published under the Domain name is operated by the Complainant and tarnishes the reputation of the LUMC trademarks and trade name.

Thirdly, the Complainant asserts that the Disputed Domain Name has been registered and is being used in bad faith, as the Disputed Domain Name has only recently been registered, many years after the Complainant started using its trade name and registered its trademarks. The Complainant also asserts that by registering and using the Disputed Domain Name, the Respondent disrupts the Complainant's business operations. Moreover, the website published under the Disputed Domain Name is no longer accessible and such non-use constitutes bad faith in view of the doctrine of "passive possession". Lastly, the Complainant argues that the use of a privacy or proxy service to avoid being notified of dispute proceedings should support an inference of bad faith.

B. Respondent

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

6. Discussion and Findings

Under 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.

Notably, the Regulations require registration or use in bad faith under article 2.1(c) rather than registration and use in bad faith as required by the Uniform Domain Name Dispute Resolution Policy ("UDRP").

As the Respondent has not filed a Response and in accordance with article 10.3 of the Regulations, the Panel shall rule based on the Complaint and the Complaint shall 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 that the requirement under article 2.1(a) of the Regulations is met.

Article 2.1(a) of the Regulations requires that (1) the Complainant has rights in the relevant sign under the Regulations, and (2) the Disputed Domain Name is identical or confusingly similar to such sign.

The Complainant has sufficiently established that it is the owner of several LUMC trademarks and the LUMC trade name. As such, the first requirement is met.

With regards to the second requirement, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's trademarks and trade name, as the Disputed Domain Name contains the entirety of the Complainant's trademark and trade name with the addition of the prefix "curium". The mere addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) does not prevent a finding of confusing similarity under the Regulations (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](#), as well as WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.8¹.

Therefore, the Disputed Domain Name is confusingly similar to the Complainant's trademarks and trade name.

B. Rights or Legitimate Interests

The Panel finds that the requirement under article 2.1(b) of the Regulations is met as the Complainant has made a prima facie case that the Respondent lacks rights to or legitimate interests in the Disputed Domain Name by alleging that the Respondent has never been known by the Disputed Domain Name, is not making legitimate noncommercial use of the Disputed Domain Name, and is not using the Disputed Domain Name in connection with the bona fide offering of goods and services.

To start, the Disputed Domain Name consists of the entirety of the Complainant's trademarks and trade name with the prefix "curium", which is a department of the Complainant. In view of the Panel, such use prevents a finding of rights or legitimate interests as it carries a risk of implied affiliation with the Complainant ([WIPO Overview 3.0](#), section 2.5.1). The use of the entirety of the trademarks and trade name with a department name of the Complainant as a prefix could suggest that the Disputed Domain Name originates from the Complainant or is a branch thereof. In this respect, and based on the available record, the Panel considers that the Respondent has never been known by the Disputed Domain Name.

Moreover, the Panel finds no evidence that the Disputed Domain Name is being used for legitimate purposes. The Complainant asserts that the Respondent copied the former website of the Complainant, but no evidence thereof is provided. In any case, the Panel notes that at time of the filing of the Complaint and until the date of this Decision, the Disputed Domain Name resolves to an inactive page.. Therefore, as of the time of filing the Complaint, the Disputed Domain Name is not being used, does not appear to support any commercial activity, nor is the Respondent making any bona fide use of the Disputed Domain Name in connection with an offering of goods or services ([WIPO Overview 3.0](#), section 2.5.3).

Based on the above, the Complainant has prima facie established that the Respondent does not have any rights to or legitimate interests in the Disputed Domain Name, while the Respondent has failed to refute such prima facie case.

C. Registered or Used in Bad Faith

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

Firstly, the Respondent has registered and used the Disputed Domain Name, which incorporates the Complainant's widely known trademarks and trade name, with the addition of a term referring to a department of the Complainant. The mere registration of a confusingly similar domain incorporating the widely known trademarks and trade name by an unaffiliated entity can by itself create a presumption of bad faith ([WIPO Overview 3.0](#), section 3.1.4). This presumption is strengthened by the fact that the additional element refers to a department of the Complainant. Therefore, the Panel finds that the Respondent's registration of the Disputed Domain Name, incorporating the trademarks and trade name in its entirety with the addition of the term "curium", a department of the Complainant, cannot amount to a mere coincidence and suggests that the Respondent was likely aware of the Complainant's trademarks and trade name at the time of the registration and registered the Disputed Domain Name having the Complainant in mind.

¹Due to the similarities with the UDRP, the Panel will consider and apply [WIPO Overview 3.0](#) as it deems appropriate.

Secondly, the Panel finds there is a clear absence of rights or legitimate interests coupled with no explanation for the Respondent's choice of the Disputed Domain Name. Based on the available record, the Respondent has never been known under the Disputed Domain Name, does not have any apparent affiliation with the Complainant, nor has the Respondent taken part in the current proceedings.

Lastly, panels under the Regulations have consistently held that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. See *JUNG S.A.S. v. Yvonne van Zadelhoff*, WIPO Case No. [DNL2020-0013](#). The present circumstances, including the composition of the Disputed Domain Name and the failure of the Respondent to participate in the current proceedings support a finding of bad-faith registration and use.

Based on all of the above factors, the Panel concludes that the Disputed Domain Name has been registered and used in bad faith by the Respondent.

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 <curium-lumc.nl> be transferred to the Complainant.

/Rogier de Vrey/

Rogier de Vrey

Panelist

Date: September 15, 2025