

## **ADMINISTRATIVE PANEL DECISION**

Navamedic ASA v. Arnaud de Marans

Case No. DNL2025-0029

### **1. The Parties**

The Complainant is Navamedic ASA, Norway, represented by Setterwalls Advokatbyrå, Sweden.

The registrant of the disputed domain name is Arnaud de Marans, France (the “Respondent”).

### **2. The Domain Name and Registrar**

The disputed domain name <virono.nl> is registered with SIDN through E-nom Inc.

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 3, 2025. On September 3, 2025, the Center transmitted by email to SIDN a request for registrar verification in connection with the disputed domain name.

On September 4, 2025, SIDN transmitted by email to the Center its verification response disclosing contact information for the disputed domain name which differed from the contact information in the Complaint.

The Center sent an email communication to the Complainant on September 9, 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 September 10, 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 September 12, 2025. In accordance with the Regulations, article 7.1, the due date for Response was October 2, 2025. The Center did not receive any response. Accordingly, the Center notified the Respondent’s default on October 3, 2025.

The Center appointed Willem J. H. Leppink as the panelist in this matter on October 8, 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 following facts are undisputed.

The Complainant is a Nordic pharmaceutical company that supplies prescription, consumer health, and hospital products to hospitals and pharmacies.

The Complainant is the owner of several trademarks, including the International Registration no. 1761684 for the trademark VIRONO (word), registered on September 18, 2023 (priority date March 22, 2023), designating inter alia the European Union, for various pharmaceutical products in class 5.

According to public information, the trademark VIRONO is used in the Netherlands (Kingdom of) (“the Netherlands”) for an antiviral drug containing the active ingredient aciclovir, meant to treat recurrent cold sores.

The disputed domain name was registered on July 10, 2023, and resolves to an inactive page.

#### **5. Parties’ Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Regulations for a transfer of the disputed domain name.

Notably, the Complainant contends the following.

The Respondent has no connection or affiliation with the Complainant, its affiliates, or any of the products offered by the Complainant under the VIRONO trademark. The Respondent has never sought or obtained any trademark registrations for VIRONO or any variation thereof. The Respondent has not received from the Complainant any license, authorization, or consent - express or implied - to use the VIRONO mark in a domain name or in any other manner, either at the time of registration and use of the disputed domain name or at any time thereafter.

The disputed domain name resolves or directs to an inactive website. Upon attempting to access the site, the following message appears: “Hmmm...can’t reach this page. [The disputed domain name]’s server IP address could not be found”. There is no evidence of the Respondent’s use of, or demonstrable preparations to use, the disputed domain name. An extract from the Wayback Machine confirms that there has been no activity on the website since the date of registration. Furthermore, the Respondent is not making a legitimate non-commercial or fair use of the disputed domain name without intent for commercial gain, as the disputed domain name merely points to an inactive website.

The disputed domain name was registered shortly after the Complainant filed in Norway its basic registration for the invoked International Registration. Given the distinctive nature of the VIRONO mark and the fact that the trademark application was publicly available at the time of the disputed domain name registration, it is likely that the Respondent was aware, or should have been aware, of the Complainant’s rights in the mark. The close temporal proximity between the trademark application and the registration of the disputed domain name, combined with the lack of any legitimate use or interest by the Respondent, supports a finding that the disputed domain name was registered in bad faith. There is passive holding.

The Complainant’s legal representatives have made multiple attempts to contact the Respondent, all of which have been unsuccessful. The phone number provided by the Respondent is inactive, indicating that the Respondent has taken active steps to conceal its identity, which is further supported by the lack of any response to communications. In addition, the technical contact phone number (+1 000 000 0000) is not genuine, further indicating that the Respondent has intentionally tried to hide its identity.

There is no plausible explanation for any good faith use of the disputed domain name given the distinctiveness of the VIRONO mark and the Complainant's reputation.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **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](#)") <sup>1</sup>, section 1.7

The Complainant has shown that it has rights in the VIRONO trademark, which is also protected under Dutch law.

The Panel finds the mark is identical to the disputed domain name.

The Complainant has thus established the first element of article 2.1 of the Regulations.

### **B. Rights or Legitimate Interests**

Consistent with earlier decisions under the Regulations, the Complainant must prima facie demonstrate that the Respondent has no rights to or legitimate interests in the disputed domain name. If the Complainant succeeds in making out this prima facie case, the burden of production shifts to the Respondent, who will then have to come forward with appropriate allegations or evidence demonstrating a right to or legitimate interests in the disputed domain name. See *Auto 5 v. E. Shiripour*, WIPO Case No. [DNL2008-0027](#).

The Respondent may demonstrate such rights or legitimate interests inter alia through any of the following circumstances based on article 3.1 of the Regulations:

- a) before having any notice of the dispute, the Respondent made demonstrable preparations to use the disputed domain name (or a name corresponding to the disputed domain name) in connection with a bona fide offering of goods or services; or
- b) the Respondent as an individual, business or other organization is commonly known by the disputed domain name; or
- c) the Respondent is making a legitimate noncommercial use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish or otherwise damage the relevant trademark, trade name, personal name, name of a Dutch public legal entity or name of an association or foundation located in the Netherlands.

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

---

<sup>1</sup> In view of the fact that the Regulations are in large part based on the Uniform Domain Name Dispute Resolution Policy ("UDRP"), it is well established that both cases decided under the Regulations and cases decided under the UDRP, and therefore [WIPO Overview 3.0](#), are relevant to this proceeding (see, e.g., *Aktiebolaget Electrolux v. Beuk Horeca B.V.*, WIPO Case No. [DNL2008-0050](#)).

demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. The disputed domain name also does not resolve to any active website.

The Complainant has thus established the second element of article 2.1 of the Regulations.

### **C. Registered or Used in Bad Faith**

In light of its considerations under Section 6.B, the facts presented by the Complainant, and the lack of a response by the Respondent, the Panel finds that the disputed domain name has been registered and/or is used in bad faith.

The Complainant has in summary contended that it is not plausible that the Respondent registered the disputed domain name without being aware of the Complainant and its mark. The Respondent has not rebutted this contention. The Panel notes that the disputed domain name was registered shortly after the Complainant filed in Norway its basic registration for the invoked International Registration.

Pursuant to article 10.3 of the Regulations if no response has been submitted, the Panel shall rule on the basis of the Complaint. The Complaint shall in that event be granted, unless the Panel considers it to be without basis in law or in fact. Based on the record before the Panel, including the circumstances presented by the Complainant, the Panel finds, on a balance of probabilities, that it is more likely than not that the Respondent was aware of the Complainant and its mark at the time of registering the disputed domain name.

Panels have consistently held that the non-use of a domain name (including where the domain name resolves to a blank or “coming soon” page) does not prevent a finding of bad faith registration and use under the doctrine of passive holding. See [WIPO Overview 3.0](#), section 3.3

The Complainant has thus established the third element of article 2.1 of the Regulations.

## **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 <virono.nl> be transferred to the Complainant.

*/Willem J. H. Leppink/*

**Willem J. H. Leppink**

Panelist

Date: October 9, 2025