

Alternative Dispute Resolution Proceeding

Accelerated Proceeding

Case No. DSE2024-0040

1. Petitioner

The Petitioner is Lonza Ltd., Switzerland, represented by Greer, Burns & Crain, Ltd., United States of America.

2. Domain Holder

The Domain Holder is [Name Removed], China.

3. Domain Name and Procedural History

This Alternative Dispute Resolution proceeding relates to the domain name <lonza.se>.

This Petition was filed under the Terms and Conditions of registration (the “.se Policy”) and the Instructions governing Alternative Dispute Resolution proceeding for domain names in the top-level domain .se (the “.se Rules”).

The WIPO Arbitration and Mediation Center (“the Center”) verified that the Petition satisfied the formal requirements of the .se Policy and the .se Rules. In accordance with Section 13 of the .se Rules, the Center formally notified the Domain Holder of the Petition on December 18, 2024. The Domain Holder did not submit any response and, accordingly, the Center notified the Domain Holder’s default on January 22, 2025.

The Center appointed Bengt Eliasson as the sole Arbitrator in this matter on January 30, 2025. The Arbitrator has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with Section 1 of the .se Rules.

4. Factual Background

The Petitioner, Lonza Ltd., which is part of the Lonza Group Ltd. is one of the leading companies providing manufacturing services to the pharmaceutical, biotech and nutrition markets with revenues of over US\$ 123 million in 2023 in Sweden alone. As early as 1913, Lonza adopted and has continuously used the trademark LONZA in Sweden in the pharmaceutical, biotechnology and nutrition space, in addition to other areas, such as custom manufacturing.

The Petitioner is the owner of Swedish trademark registration No. 17002 for the mark LONZA, registered on August 16, 1913, as well as trademark registration No. 101915 for the mark LONZA registered on January 26, 1962. The Petitioner is also owner of European Union trademark registration No. 001101898 for LONZA (word mark) registered on July 3, 2000, and International trademark registration No. 1262560 LONZA (word mark), registered on June 16, 2015, designating the European Union.

The disputed domain name <lonza.se> was registered on October 30, 2024, and does not resolve to an active website.

5. Claim

The Petitioner request that the disputed domain name <lonza.se> shall be transferred to the Petitioner.

Furthermore, the Petitioner also requests to have the dispute decided as an Accelerated Proceeding if the Domain Holder does not respond to the Petition.

6. Parties' Contentions

A. Petitioner

The disputed domain name is identical or similar to a right which is legally recognized in Sweden and to which the Petitioner has proven its rights;

As early as 1913, the Petitioner adopted and has continuously used the trademark LONZA in Sweden for a wide range of goods and services, including pharmaceutical and medicinal preparations, various chemical substances, and many other goods and services. In addition, the Petitioner is also the owner of numerous trademark registrations worldwide, including in Sweden. The Petitioner also incorporates the LONZA marks as part of its company name and is one of the world's leading suppliers to the pharmaceutical and biotech market with revenues of over US\$ 123 million in 2023 in Sweden alone. The LONZA trademark is distinctive, and closely identified with the Petitioner, and represent a substantial valuable goodwill. A trademark search for the term LONZA on the Swedish Trademark Database only reveals the Petitioner's LONZA trademark as registered marks. The disputed domain name <lonza.se> was registered on October 30, 2024, and therefore, well after the Petitioner established its rights in the LONZA trademark.

The Disputed Domain Name is identical to the Petitioner's LONZA trademark with the addition of the ccTLD ".se". Under .se Policy Paragraph 7.2.1, a textual or side-by-side comparison is done between the Petitioner's trademark LONZA and the disputed domain name <lonza.se>, without considering the ccTLD ".se". As in this case, numerous panels have held that where a disputed domain name contains the entire mark and differs only by the addition of a ccTLD, such differences are generally insufficient to overcome the identicalness between that domain name and the mark. The disputed domain name <lonza.se> is identical and confusingly similar to the Petitioner's trademark LONZA that are legally in effect in Sweden.

The Disputed Domain Name was registered and/or is being used in bad faith

The Domain Holder registered the disputed domain name primarily for the purpose of creating a likelihood of confusion with the Petitioner's trademark as to the source, sponsorship, affiliation, or endorsement. The Domain Holder has registered the disputed domain name <lonza.se>, which incorporates the Petitioner's trademark LONZA in its entirety with the addition of the ccTLD ".se". In view of the Petitioner's extensive rights in the trademark LONZA and the Domain Holder's use of the Petitioner's trademark LONZA in the disputed domain name. The Domain Holder must have been aware of the Petitioner and its rights in the trademark LONZA. As such, bad faith can be reasonably inferred. See *Klarna Bank AB, Sweden v. P.I.*, WIPO Case No. [DSE2019-0031](#) (September 13, 2019). In fact, panels have consistently held that when an

unaffiliated entity registers a domain name, which is confusingly similar or identical to a famous or wide-known trademark, a presumption of bad faith is inferred. See *Cryptologic Operations Limited v. Mediapool Communications Limited*, WIPO Case No. [DSE2018-0043](#) (October 6, 2018) Given the fame and worldwide recognition of the Petitioner's trademark LONZA, the lack of evidence of any good faith use by the Domain Holder, and that the Domain Holder has taken steps to conceal its identity, "it is not possible to conceive of any plausible actual or contemplated active use of the domain name by the Domain Holder that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of the Petitioner's rights under trademark law. The totality of the circumstances establishes that the Domain Holder registered and is using the <lonza.se> domain name in bad faith pursuant to .se Policy, Paragraph 7.2.2.

The Respondent has no rights or legitimate interests in respect of the disputed domain name.

Condition 3 of the Instructions pertaining to ADR (paragraph 7.2) sets out certain circumstances which, if proven by the evidence presented, may demonstrate the Domain Holder's rights or legitimate interests to a disputed domain. None of these circumstances apply to The Domain Holder in the present dispute.

The term LONZA is not an applied for or a registered trademark of the Domain Holder. The Whois history for the disputed domain name <lonza.se > indicates that the domain name was created as late as October 30, 2024. The Petitioner has not authorized, by license or otherwise, the Domain Holder to use the trademark LONZA, or to apply for any domain name that is confusingly similar to such trademark or brand. To the contrary, the Domain Holder is using the domain name to falsely hold itself out as being associated with the Petitioner. The Domain Holder's actions in connection with the disputed domain name are not a bona fide offering of goods or services, nor does the Domain Holder conduct a legitimate noncommercial or fair use. The Domain Holder is wholly appropriating the Petitioner's trademark and is not using the <lonza.se> domain name in connection with a legitimate website. As such, Domain Holder's actions in connection with the disputed domain name cannot be considered a bona fide offering of goods or services pursuant a right or justified interest under Paragraph 7.2.3. *Glossier, Inc. v. E.M.R.*, WIPO Case No. [DSE2018-0034](#) (July 30, 2018). Further, the Domain Holder is not commonly known by the disputed domain name, so its actions do not fall within Paragraph 7.2.3. As such, the Petitioner has established a prima facie case that the Domain Holder has no rights or legitimate interests in respect to the disputed domain name <lonza.se>.

B. Domain Holder

The Domain Holder did not submit a response to the Petition.

7. Discussion and Findings

A domain name may, in accordance with the .se Policy paragraph 7.2, be deregistered or transferred to the party requesting dispute resolution proceedings if all of the following three conditions are fulfilled:

1. The disputed domain names are identical or similar to:

- a. a trade symbol (trademark or service mark),
- b. a trade name or secondary business name,
- c. a surname,
- d. an artist's name (if the name is not associated with someone who deceased a long time ago),
- e. a title of another party's copyrighted literary or artistic work,
- f. a name that is protected by the Regulation concerning Certain Official Designations (2019:167), or
- g. The name of a government authority that is listed in the registry that Statistics Sweden must maintain under the Swedish Code of Statutes SFS 2007:755 (Government Agencies Register Ordinance), or its generally accepted abbreviation, which is legally recognized in Sweden and to which the party requesting dispute resolution can prove its rights, and

2. The disputed domain names have been registered or used in bad faith, and
3. The Domain Holder has no rights for justified interest in the disputed domain names.

All three conditions must be met in order for a petitioner to succeed in its action.

A. The Domain Name is identical or similar to a name which is legally recognized in Sweden and to which the Petitioner can prove its rights

The Arbitrator finds that the Petitioner's trademark LONZA has been used in a comprehensive way for a long time in Sweden. In addition, the Petitioner is the owner of Swedish trademark registrations since 1913 as well as a European Union trademark registration since 2000 for the term LONZA.

The disputed domain name <lonza.se> includes the Petitioner's trademark LONZA in its entirety. LONZA is distinctive and clearly recognizable. It has long been held that ccTLD ".se" is disregarded when evaluating the identical or similarity of disputed domain names, as it is a standard registration requirement.

Based on the above, the Arbitrator finds that the disputed domain name is identical to the Petitioner's trademark LONZA.

B. The Domain Name has been registered or used in bad faith

Based on the records above, especially the comprehensive and long use of the Petitioner's trademark, the Arbitrator finds that the Domain Holder must have been aware the Petitioner's trademark at the time for registration of the domain name <lonza.se>. The disputed domain name has therefore been registered in bad faith.

C. The Domain Holder has no rights or justified interest in the Domain Name.

Based on the records above, the Arbitrator finds that the Domain Holder has no rights or justified interests in the disputed domain name.

8. Decision

The disputed domain name <lonza.se> shall be transferred to the Petitioner.

Bengt Eliasson

Date: February 5, 2025