Decision for dispute CAC-UDRP-107707

Case number	CAC-UDRP-107707
Time of filing	2025-07-01 09:44:39
Domain names	novartisglobalconsultancy.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Novartis AG

Complainant representative

Organization	Abion GmbH

Respondent

Organization	Novartis Global Consultancy

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the

- International trademark: NOVARTIS, Reg. No. 663765, Registration Date: July 1, 1996;
- International Trademark: NOVARTIS, Reg. no: 1349878, Reg. date: November 29, 2016;
- International Trademark, designating the UK: NOVARTIS, Reg. no. 1544148, Reg. date: March 25, 2024;
- International Trademark, designating the UK: NOVARTIS, Reg. no. 1803328, Reg. date: June 29, 2020;
- UK trademark: NOVARTIS, Reg. No. UK00900304857, Registration Date: June 25, 1999;
- UK trademark: NOVARTIS, Reg. No. UK00801349878, Registration Date: November 17, 2017;
- US trademark: NOVARTIS, Reg No. 4986124, Registration Date: June 28, 2016;
- EU trademark: NOVARTIS, Reg. No. 304857, Registration Date: June 25, 1999.

The disputed domain name <novartisglobalconsultancy.com> was registered on May 25, 2025.

FACTUAL BACKGROUND

The Complainant is Novartis AG, a Swiss holding company at the head of a globally operating pharmaceutical and healthcare group.

The disputed domain name <novartisglobalconsultancy.com> was registered by Respondent on May 25, 2025. The Complaint was filed on June 27, 2025.

The Complainant holds numerous valid trademark registrations for the NOVARTIS mark worldwide, with protection in jurisdictions such as Switzerland, the EU, the UK, and the US. These registrations significantly predate the Respondent's domain name registration. The Respondent did not submit a Response despite proper notification of the proceedings.

PARTIES CONTENTIONS

The Complainant contends that:

- The disputed domain name is confusingly similar to its registered NOVARTIS trademarks.
- The Respondent lacks any rights or legitimate interests in the domain name.
- The Respondent registered and is using the disputed domain name in bad faith, including by passive holding and potential phishing activity through MX records.

1. Confusing Similarity

The Complainant asserts rights in the well-known trademark NOVARTIS, registered in numerous jurisdictions including the UK, EU, and US, with the earliest registrations dating back to 1996. The disputed domain name incorporates the NOVARTIS trademark in its entirety as the dominant element of the domain name, followed by the terms "global consultancy".

The Complainant emphasizes that the expression "global consultancy" directly relates to Complainant's internal business structure and strategic consulting function. The Complainant relies on paragraph 1.8 of the WIPO Overview 3.0, which states that the addition of generic or descriptive terms does not prevent a finding of confusing similarity where the mark remains clearly recognizable within the domain name.

The Complainant refers to similar CAC UDRP decisions, including CAC-UDRP-107098, where the addition of the term "global" to the NOVARTIS mark was found to enhance the likelihood of confusion, especially in relation to the geographic scope of Complainant's business.

2. Lack of Rights or Legitimate Interests

The Complainant contends that the Respondent is not affiliated with, nor authorized by, the Complainant to use the NOVARTIS trademark. There is no evidence that Respondent is commonly known by the disputed domain name or has acquired any rights or legitimate interests in it. Online searches for "Novartis Global Consultancy" returned no relevant results connected to Respondent. Furthermore, trademark searches yielded no registered marks held by the Respondent incorporating the relevant terms.

The disputed domain name resolved to a parking page at the time of discovery (June 3, 2025) and to an inactive website at the time of filing. The Complainant argues that such passive holding does not constitute a bona fide offering of goods or services or legitimate non-commercial or fair use.

Complainant sent multiple cease-and-desist letters to the Respondent, which remained unanswered, further suggesting that Respondent does not have rights or legitimate interests in the disputed domain name.

3. Bad Faith

Registration in Bad Faith: Complainant submits that the disputed domain name was registered on May 25, 2025, significantly

after its NOVARTIS trademarks were established and widely used. The Complainant maintains that Respondent must have had actual knowledge of Complainant's rights due to the global renown of the NOVARTIS mark and its online and media presence. Panels have previously recognized NOVARTIS as a well-known trademark (e.g. WIPO Case No. D2020-3203).

Use in Bad Faith: The domain name is passively held, resolving only to an inactive page. Such passive holding may constitute bad faith when combined with other factors such as (i) the well-known nature of the mark, (ii) failure to respond to cease-and-desist communications, (iii) the implausibility of any good faith use, and (iv) the use of privacy shields to conceal identity. In this case, active MX records are associated with the disputed domain name, suggesting possible future use for fraudulent e-mail schemes. The Respondent's contact identity is hidden, and the e-mail address in the Whois record does not match the publicly shown registrant name, raising doubts about the veracity of the registrant information.

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:
(i) The domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
(ii) The respondent has no rights or legitimate interests in respect of the domain name; and
(iii) The domain name has been registered and is being used in bad faith.

I. Identical or Confusingly Similar

The Complainant has established the fact that it has valid rights for the NOVARTIS trademarks specified in paragraph "Identification of rights" above whereas the international trademark No 663765 has been registered on July 1, 1996.

The disputed domain name has been registered on May 25, 2025, i.e. almost 29 years after the trademark registration.

The disputed domain name incorporates the Complainant's NOVARTIS trademark in its entirety, followed by the descriptive terms "global consultancy". The NOVARTIS trademark remains clearly recognizable and dominant in the disputed domain name. The addition of descriptive terms does not avoid a finding of confusing similarity. The addition of the generic top-level domain ".COM" does not change the overall impression of the designation as being connected to Complainant's trademarks.

Therefore, the Complainant has, to the satisfaction of the Panel, shown the disputed domain name is confusingly similar to the Complainant's trademarks "NOVARTIS" in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

II. Rights or Legitimate Interests

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that (ii) the respondent has no rights or legitimate interests in respect of the domain name.

The Complainant has established a prima facie case (not challenged by the Respondent who did not filed any response to the complaint) that the Respondent has no rights or legitimate interests in the disputed domain name, since the Respondent is not related in any way with the Complainant, has not been authorized or licensed to use the Complainant's trademarks, there is no indication that the Respondent is commonly known by the term “NOVARTIS” or that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name instead resolves to a parking or inactive page. There is also no evidence, that the Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Given the Respondent's failure to respond and the absence of any apparent legitimate use of the disputed domain name, the Panel considers that the Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

III. Registered and Used in Bad Faith

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that (iii) the domain name has been registered and is being used in bad faith.

The Respondent has registered the disputed domain name which consists of the Complainant’s trademark “NOVARTIS” and the descriptive terms “global consultancy”. There are no doubts that the Complainant’s trademarks are distinctive and well-known, particularly in the pharmaceutical sector. It could be therefore concluded that the disputed domain name has been registered in bad faith as the Respondent had or should have the Complainant and its prior trademark rights in mind when registering the disputed domain name and the Respondent's registration cannot be therefore considered coincidental.

Use of such disputed domain name could, therefore, attract the internet users to the corresponding web page by creating a likelihood of confusion with the Complainant’s trademarks (paragraph 4(b)(iv) of the Policy).

The active MX records associated to the disputed domain name that doesn’t resolve to an active webpage suggests possible future use of the disputed domain name for fraudulent e-mail schemes.

The Respondent's failure to respond to the cease-and-desist letter further supports the inference of bad faith.

Thus, the Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

The Panel considers that the Complainant has shown that the disputed domain name <novartisglobalconsultancy.com> is confusingly similar to trademarks in which the Complainant has rights, the Respondent has no rights or legitimate interests in respect of the disputed domain name and the disputed domain name has been registered and is being used in bad faith. The Complainant has thus established all three elements of paragraph 4(a) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **novartisglobalconsultancy.com**: Transferred

PANELLISTS

Name	**Petr Hostaš**

DATE OF PANEL DECISION 2025-07-28

Publish the Decision