Decision for dispute CAC-UDRP-107840

Case number	CAC-UDRP-107840
Time of filing	2025-08-11 09:37:07
Domain names	virbachome.shop

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	VIRBAC S.A.

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	niu youguo

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 (the "Domain Name").

IDENTIFICATION OF RIGHTS

The Complainant is the owner of various registered trade marks that comprise or incorportate the term "Virbac".

They include:

i. International trade mark n° 420254 for "Virbac" in an ordinary font in class 5 with a registration date of 15 December 1975 based upon an earlier French trade mark registration. This mark has proceeded to registration in to at least some degree in 30 jurisdictions; and

ii. International trade mark n° 793769 for a device mark that for the most part takes the form of "Virbac" in stylised text in classes 5, 38, 42 and 44 with a registration date of 11 March 2002 based upon an earlier French trade mark registration. This mark has proceeded to registration in 18 jurisdictions.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT

Founded in 1968 in France by Pierre-Richard Dick, the Complainant is an old and well-established company dedicated exclusively to animal health. With a turnover of €1,397 million in 2024, the company ranks today as the 6th largest animal health company worldwide. Its wide range of vaccines and medicines are used in the prevention and treatment of the main pathologies for both companion and food-producing animals. Present through health products in more than 100 countries, the company has more than 6,400 employees.

The Complainant also owns a portfolio of domain names containing the term VIRBAC, such as its official domain name <virbac.com>, registered since 15 January 2000.

The Domain Name was registered on 6 August 2025 and resolves to an online shop where numerous pet products are sold, from the Complainant and from its competitors.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the Domain Name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the Domain Name is identical or confusingly similar to a trade mark 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 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 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

The Panel accepts that the most sensible reading of the Domain Name is as the term "virbac", combined with the word "home" and the ".shop" top level domain ("TLD")

The Complainant has demonstrated that it has registered trade marks for VIRBAC and it follows from this that the Complainant's mark is clearly recognisable in the Domain Name. The Complainant therefore holds a mark that is "confusingly similar" to the Domain Name as that term is understood under the UDRP. In this respect, see section 1.7 and 1.9 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition. The Complainant has therefore made out the requirements of paragraph 4(a)(i) of the Policy.

The Panel has little doubt that the Respondent deliberately registered the Domain Name with the knowledge of, and because of its associations with, the Complainant’s trade marks. There is no obvious use of the term "Virbac" that is not associated with the Complainant, and the use of the Domain Name since registration to sell the Complainant's and competitors of the Complainant's products, demonstrates the Respondent's intentions in this respect.

Further, the use of the word "home" and the ".shop" TLD as part of the Domain Name is likely to be read by internet users as

signalling the online "home" and "shop" of the Complainant. As such the Domain Name inherently impersonates the Complainant and the Panel is satisfied that the Respondent intended such impersonation.

Further, the website operating from the Domain Name prominently uses the term "Virbac" at the top of the page and this, and the absence of any other prominent indication on the website that this website is unconnected with the Complainant, means that the Panel is satisfied that a significant number of internet users when reaching the website will be misled into believing that this website is controlled or authorised by the Complainant. There is no right and legitimate interest in holding a domain name for such a purpose and this indicates that no such right or legitimate interest exists. Such activity also falls within the scope of the example of circumstances indicating bad faith registration and use at paragraph 4(b)(iv) of the Policy.

Further and in any event this website fails to satisfy the Oki Data criteria by reason of the lack of any clear indication on the website that it is not operated by the Complainant and the sale of competing products.

In the circumstances, the Panel holds that the Complainant has made out the requirements of paragraph 4(a)(ii) and 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **virbachome.shop**: Transferred

PANELLISTS

Name	**Matthew Harris**

DATE OF PANEL DECISION 2025-09-04

Publish the Decision