Decision for dispute CAC-UDRP-107959

Case number	CAC-UDRP-107959
Time of filing	2025-09-21 18:55:37
Domain names	biomeriaeux.com

Case administrator

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

Complainant

Organization	bioMérieux

Complainant representative

Organization	Plasseraud IP

Respondent

Organization	SHENZHEN SINO-OCEAN INTERNATIONAL TRANSPORTATION LTD.

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 following (amongst other) registrations of the word mark BIOMERIEUX:

- International mark no. 933598 registered on 12 June 2007 in classes 1, 5, 9 and 10;
- International mark no. 1392389 registered on 25 October 2017 in classes 35, 37, 41, 42 and 44;
- EU mark no. 017912668 registered on 20 October 2018 with filing date 5 June 2018 in classes 1, 5, 9, 10, 35, 37, 41, 42 and 44.

FACTUAL BACKGROUND

The Complainant is a biotechnology company specialising in products for diagnosing infectious diseases. It was founded in 1963 and now serves more than 160 countries through 43 subsidiaries with a group turnover of 4 billion Euros.

In most countries group companies operate under the name bioMérieux. The Complainant also owns various domain names comprising biomerieux and generic or descriptive elements, including <biomerieux.com>, <biomerieux.net> and <biomerieux.org>. It has a principal website at www.biomerieux.com.

The disputed domain name, <biomeriaeux.com>, was registered by the Respondent on 10 September 2025. It does not locate any active web page. However, MX records have been set up for this domain name.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Panel finds that the Complainant has registered rights in the mark BIOMERIEUX. The Panel further finds that the disputed domain name is confusingly similar to this mark, from which it differs only in the insertion of the letter "a" and the addition of the generic top level domain. It is clearly a case of typosquatting.

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 Panel finds on the undisputed information provided by the Complainant that the Respondent has not used or made preparations to use the disputed domain name for any bona fide offering of goods or services or for any legitimate non-commercial or fair use.

It is also evident that the Respondent is not commonly known by the disputed domain name or any corresponding name and that it has not been authorised by the Complainant to use or register any such name.

There is no other plausible basis on which the Respondent could claim any right or legitimate interest in the disputed domain name or any corresponding name.

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

Given the very substantial reputation of the Complainant under its distinctive mark BIOMERIEUX, established long before the disputed domain name was registered, any bona fide use of the latter, which is in the nature of a typosquat, would be implausible. The Panel accordingly infers that it has been registered and is being passively used by the Respondent in bad faith.

The Complainant has, to the satisfaction of the Panel, shown that 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

Typosquat of the principal mark of a substantial biotechnology company. No bona fide use has been made and none is plausible. Bad faith registration and passive use inferred.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **biomeriaeux.com**: Transferred

PANELLISTS

Name	**Jonathan Turner**

DATE OF PANEL DECISION 2025-11-05

Publish the Decision