Decision for dispute CAC-UDRP-108015

Case number	CAC-UDRP-108015
Time of filing	2025-10-06 15:25:16
Domain names	tevapharmaceuticalco.com

Case administrator

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

Complainant

Organization	Teva Pharmaceutical Industries Ltd.

Complainant representative

Organization	SILKA AB

Respondent

Name	Jenny Danny

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

- Israel trademark registration TEVA No. 41075 registered since 5 July 1977;
- US trademark registration TEVA No. 1567918 registered since 28 November 1989;
- EU trademark registration TEVA No. 001192830 registered since 18 July 2000;
- International trademark registration TEVA (figurative) No. 1319184 registered since 15 June 2016;
- EU trademark registration TEVA (figurative) No. 015135908 registered since 28 July 2016.

The Complainant also owns the domain names registration such as <tevapharm.com> since 1996, <tevapharma.com> since 2000, <tevapharm.us> since 2002, <tevapharmaceuticals.com> since 2001, <tevapharmaceutical.com> since 2001 and <tevapharmaceuticalindustrieslimited.com> since 2005.

The disputed domain name <tevapharmaceuticalco.com> was registered on 19 September 2025.

FACTUAL BACKGROUND

The Complainant is a globally recognized pharmaceutical company established in 1901, operating in 57 markets with approximately 37,000 employees and a portfolio of around 3,500 products. The Complainant holds numerous trademark registrations for the term “TEVA” in various jurisdictions and maintains a substantial domain name portfolio incorporating the TEVA mark.

PARTIES CONTENTIONS

The Complainant asserts that the disputed domain name is confusingly similar to its registered TEVA trademark. The disputed domain name incorporates the TEVA mark in its entirety as the leading element, with the additional terms “PHARMACEUTICAL” and “CO” being merely descriptive or generic and not sufficient to avoid a finding of confusing similarity. The Complainant relies on the consensus view reflected in section 1.7 of the WIPO Overview 3.0 and references prior decisions (CAC-UDRP-107854, CAC-UDRP-107025) to support its position that the TEVA mark is clearly recognizable within the disputed domain name and that the addition of descriptive terms does not prevent a finding of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not commonly known by the disputed domain name, does not possess any trademark rights for it, and has not been authorized by the Complainant to use the TEVA mark. The disputed domain name resolves to a holding page with no substantive content, which the Complainant argues does not constitute a bona fide offering of goods or services or legitimate non-commercial use. The Complainant refers to section 2.5.1 of the WIPO Overview 3.0 and prior decisions (NAF Case No. 2009654, WIPO Case No. D2023-1279, NAF Case No. 1785283) to support its argument that the Respondent’s use does not establish rights or legitimate interests.

The Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant’s TEVA mark is distinctive and enjoys significant international reputation, making it implausible that the Respondent was unaware of the Complainant’s rights. The composition of the disputed domain name is said to intentionally target the Complainant and suggest affiliation or endorsement. The Complainant further notes that the disputed domain name is configured with active MX records, which creates a risk of deceptive e-mail activity and supports an inference of bad faith. The Complainant relies on section 3.3 of the WIPO Overview 3.0 and prior decisions (WIPO Case No. D2022-0955, WIPO Case No. D2023-2766, WIPO Case No. D2023-3935, WIPO Case No. D2023-2997, NAF Case No. 1998634, WIPO Case No. D2022-3791) to substantiate its claim of bad faith registration and use.

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is 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

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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. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

The Complainant has established the fact that it has valid rights for the Israel, US, EU and International trademark's registrations TEVA registered in 1977 (the oldest one), and that it owns domain names that contains term TEVA with the addiction of terms PHARM, PHARMA or PHARMACEUTICALS since 1996 (the oldest one).

The disputed domain name wholly incorporates the Complainant's trademark.

The generic term "PHARMACEUTICAL" in the disputed domain name does not distinguish the disputed domain name from the Complainant's trademark and strengthens the likelihood of confusion between the disputed domain name and Complainant's trademark as the "PHARMACEUTICAL" directly points to Complainant's name and business.

The added letters "CO" at the end of the disputed domain name does not distinguish the disputed domain name from the Complainant's trademark either and more over could be read as the abbreviation of the word "company".

Therefore, the whole disputed domain name refers to the Complainant's company and business.

The addition of the generic top-level domain ".COM" does not change the overall impression of the designation as being connected to Complainant's trademark.

The Panel therefore considers the disputed domain name to be confusingly similar to the Complainant's trademark which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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

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 file 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 "TEVA" or "TEVA PHARMACEUTICAL" 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 Respondent has no rights or legitimate interests in respect of the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

III. The domain name has been registered and is being 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 trademarks "TEVA" and the descriptive terms "PHARMACEUTICAL" and "CO". There are no doubts that the Complainant's trademarks are distinctive and well-known, particularly in the pharmaceutical sector. Given the distinctiveness of the Complainant's trademarks and reputation it is evident that the Respondent had or should have the Complainant and its prior trademark rights in mind when registering the disputed domain name as all parts of it refers to the Complainant, it's company and business (pharma). The Respondent's registration therefore 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 Panel therefore considers 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.

The Panel finally considers that the Complainant has shown that the disputed domain name is confusingly similar to a trademark 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. **tevapharmaceuticalco.com**: Transferred

PANELLISTS

Name	**Petr Hostaš**

DATE OF PANEL DECISION 2025-11-06

Publish the Decision