Decision for dispute CAC-UDRP-107999

Case number	CAC-UDRP-107999
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Domain names	synthialab.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Merck KGaA

Complainant representative

Organization	Thomsen Trampedach GmbH

Respondent

Name	Emad Ai

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 evidence has established that the Complainant is the owner of a portfolio of registered trademarks including:

- the European Union trademark registration for SYNTHIA, No. 017472127, registered on May 3,2018; and
- numerous other international trademark registrations for SYNTHIA;

(collectively "the SYNTHIA trademark").

FACTUAL BACKGROUND

The Complainant, Merck KGaA is a leading science and technology company operating in life science, healthcare, and electronics. As part of its activities, it has developed SYNTHIA, an Artificial Intelligence powered retrosynthesis software development used primarily in drug discovery and chemical development. This is a very important tool used in the science and research world, particularly for developing new chemical and medical products and consequently it is highly recognised for making a positive and significant contribution to medical science.

As well as the SYNTHIA trademark, the Complainant owns the domain name <synthiaonline.com> which it uses in its business to promote its products under its SYNTHIA trademark and brand.

It has come to the notice of the Complainant that on November 30, 2024, without any permission and several years after the Complainant acquired its trademark rights in SYNTHIA, the Respondent registered the domain name <synthialab.com> ("the Disputed Domain Name") which includes the SYNTHIA trademark in its entirety, with the addition of the word “lab” which signifies the word “laboratory” used by the Complainant with respect to its SYNTHIA trademark, and also the Top Level Domain “.com.” Moreover, the Complainant has produced a version of its SYNTHIA software called SYNTHIA®LAB, especially marketed for academic and non-profit research.

The Respondent has caused the Disputed Domain Name to resolve to a website that uses the SYNHIA trademark, offers a “focus” on the same services as those provided by the Complainant, “efforts” in that regard, a “Synthia Lab”, “(p)rojects on our roadmap” and an “open-source synthetic data engine” within the range of goods and services provided by the Complainant under its trademark and apparently to be in competition with it.

The Disputed Domain Name and the website to which it resolves pose a very concerning threat to the Complainant’s business and its SYNTHIA trademark and brand. In that regard, the Complainant submits that the Disputed Domain Name and the use made of it by the Respondent constitute an infringement of the SYNTHIA trademark, give rise to a likelihood of confusion in the minds of internet users between the trademark and the Disputed Domain Name and pose the threat of potentially improper use that might be made of the Disputed Domain Name in the future if the Respondent retains it.

The Complainant maintains that the Disputed Domain Name is confusingly similar to its SYNTHIA trademark, that registering the Disputed Domain Name and having it resolve to the aforesaid website gives rise to a right or legitimate interest in the Disputed Domain Name and that the Disputed Domain Name has been registered and used by the Respondent in bad faith.

The Complainant has therefore brought this proceeding under the Uniform Domain Name Dispute Resolution Policy to obtain a transfer of the Disputed Domain Name to itself and thus the cessation of the improper use which it submits the Respondent has made of it.

PARTIES CONTENTIONS

The Complainant made the following contentions.

(i) The Disputed Domain Name is confusingly similar to a trademark or service mark in which the Complainant has rights.

The Complainant owns the trademark for SYNTHIA set out above and which was registered several years before the Respondent registered the Disputed Domain Name on November 30, 2024.

The Disputed Domain Name <synthialab.com> incorporates the Complainant’s SYNTHIA trademark in its entirety with the addition of the letters “lab” which signify the word “laboratory” used by the Complainant with respect to its SYNTHIA trademark, and also the Top Level Domain “.com.” The trademark is clearly recognizable in the Disputed Domain Name. The addition of the letters “lab”, signifying laboratory, enhances the confusing similarity between the Disputed Domain Name and the trademark because internet users would read the Disputed Domain Name as invoking the Complainant, its trademark and brand, its genuine products offered under the trademark and their use in a laboratory.

Thus, the Disputed Domain Name is confusingly similar to the SYNTHIA trademark.

(ii) The Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

As is universally accepted, the Complainant is first required to make out a prima facie case that the Respondent has no rights or legitimate interests in the Disputed Domain Name and, if such a prima facie case is made out, the onus of proof is then transferred to the Respondent to rebut any such prima facie case that has been established.

The Complainant submits that, for the following reasons, it can make out its prima facie case.

First, the Complainant has not given any permission or authority to the Respondent to register or use the Disputed Domain Name and there is no affiliation, business or other relationship between the Complainant and the Respondent.

Secondly, the Respondent did not reply to the Complainant’s cease and desist letter which it sent to the Respondent on September 24, 2025.

Thirdly, the Respondent has no trademark rights that could entitle it to register the Disputed Domain Name.

Fourthly, the Respondent has not used the Disputed Domain Name for a bona fide offering of goods or services within the meaning of Paragraph 4(c)(i) of the Policy.

Fifthly, the Disputed Domain Name is not an Arabic, common or generic word.

Accordingly, the Complainant submits that it has made out a prima facie case that the Respondent has no rights or legitimate interests in the Disputed Domain Name.

(iii) The Disputed Domain Name was registered and is being used in bad faith.

The Complainant submits on the following grounds that the Disputed Domain Name was registered and is being used in bad faith.

First, the confusingly similar Disputed Domain Name was registered by the Respondent several years after the Complainant had acquired its SYNTHIA trademark.

Secondly, the Respondent has caused the Disputed Domain Name to resolve to a website that offers a process capable of being used for developing an open-source synthetic data engine to generate allegedly robust, high-quality datasets, being the same or similar services to those legitimately offered by the Complainant under its trademark.

Thirdly, the Complainant's SYNTHIA trademark incorporated into the Disputed Domain Name is highly recognisable and is thus very valuable, as well as being widely recognisable for its contribution to medical science.

Fourthly, it is highly unlikely that the Disputed Domain Name could have been registered without the Respondent having had actual knowledge of the Complainant, its trademark and its SYNTHIA product.

Fifthly, the Respondent registered the Disputed Domain Name to prevent the Complainant from reflecting its trademark in a corresponding domain name.

Sixthly, the Respondent has disrupted the Complainant's business within the meaning of Paragraph 4(b)(iii) of the Policy.

Seventhly, by registering and using the Disputed Domain Name as aforesaid, the Respondent has engendered confusion between the Complainant and the Respondent within the meaning of Paragraph 4(b)(iv) of the Policy.

Eighthly, the Respondent has used the Disputed Domain Name for a webpage that gives such a significant indication of its intentions with respect to the registration and use of the Disputed Domain Name that it must be concluded that it has both registered and used the Disputed Domain Name in bad faith.

Accordingly, the Complainant submits that the Respondent has registered and used the Disputed Domain Name in bad faith.

The Complainant thus submits that it has established all of the elements it is required to prove under the Policy and that it is therefore entitled to the relief that it seeks.

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

This is a mandatory administrative proceeding pursuant to Paragraph 4 of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP") of the Internet Corporation for Assigned Names and Numbers ("ICANN"), the Rules for the Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the CAC Supplemental Rules.

A. Administrative deficiency

By notification dated October 7, 2025 and in accordance with Paragraph 4 (b) of the Rules, the CAC notified the Complainant that the Complaint was administratively deficient in that it had not sufficiently identified the Respondent. The Complainant was invited to see the Registrar's verification available in the online case file in the form of a non-standard communication regarding the appropriate identification of the domain name holder.

On October 9, 2025, the Complainant filed an Amended Complaint correcting the deficiency and the CAC thus determined that the Complaint should be admitted to proceed further in the Administrative Proceeding.

The Panel has reviewed all of the above matters and makes a finding that within the meaning of Paragraph 4(b) of the Rules, the administrative deficiencies have been corrected and that this matter has proceeded properly to the Panel in accordance with the Policy and the Rules.

B. Substantive matters

Paragraph 15 of the Rules provides that the Panel is to decide the complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In that regard, the Panel also notes that the onus is on the Complainant to make out its case, and past UDRP panels have consistently said that a complainant must show that all three elements of the Policy have been made out before any order can be made to transfer a domain name.

The Panel therefore turns to discuss the various issues that arise for decision on the facts as they are known.

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.

The Panel will therefore deal with each of these requirements in turn.

1. Identical or Confusingly Similar.

The first issue that arises is whether the Complainant has a trademark on which it may rely in this proceeding. In that regard, the Panel finds that the Complainant has adduced evidence which the Panel accepts, that it is the registered owner of the SYNTHIA trademark, particulars of which have been set out above. That evidence is in documentary form that the Panel has examined and finds to be in order. The Panel therefore finds that the Complainant has established its trademark rights in SYNTHIA and hence its standing to bring this proceeding.

The Panel next finds that the Disputed Domain Name is confusingly similar to the SYNTHIA trademark. That is so for the following reasons.

First, the evidence has established that on November 30, 2024 the Respondent registered the Disputed Domain Name which includes the entirety of the SYNTHIA trademark. The Disputed Domain Name also includes, immediately after the trademark, the letters "lab" which signify the word "laboratory", a laboratory necessarily being used by the Complainant when providing its goods and services under the trademark, and also the Top Level Domain ".com." Internet users would thus interpret the Disputed Domain Name to mean the provision of the Complainant's services offered under the trademark and in a laboratory. It is also significant that in using its trademark, the Complainant itself produces a version of its SYNTHIA software called SYNTHIA®LAB, especially marketed for academic and non-profit research. Thus, it can hardly be a coincidence that in registering the Disputed Domain Name, the Respondent included the word "lab", and it is far more likely that it was included to enhance the notion that it was intended to invoke the Complainant's trademark and its use in a laboratory. Putting these considerations together, the result must be that the Disputed Domain Name is confusingly similar to the trademark; it is similar to the trademark because its dominant element is the Complainant's trademark and it is confusingly similar because internet users would naturally wonder whether it was an official and genuine domain name of the Complainant or not.

The Complainant has therefore established the first element that it must show under Paragraph 4(a)(i) of the Policy.

2. Rights or Legitimate Interests.

Under Paragraph 4(a)(ii) of the Policy, the Complainant has the burden of establishing that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name.

But by virtue of Paragraph 4(c) of the Policy, it is open to a respondent to establish its rights or legitimate interests in a domain name, among other circumstances, by showing any of the following elements:

(i) before any notice to you [respondent] of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you [respondent] (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you [respondent] are 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.

Thus, if a respondent proves any of these elements or indeed anything else that shows that it has a right or legitimate interest in the Disputed Domain Name, the complainant will have failed to discharge its onus and the complaint will fail. It is also well-established that a complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests and that when such a prima facie case is made, the respondent carries the burden of demonstrating rights or legitimate interests in the Disputed Domain Name. If the respondent cannot do so, a complainant is deemed to have satisfied Paragraph 4(a)(ii) of the Policy.

The Panel, after considering all of the evidence in the Complaint, finds that the Complainant has made out a strong prima facie case that the Respondent has no rights or legitimate interests in the Disputed Domain Name.

In addressing that issue, the Panel will address each of the grounds relied on by the Complainant in the order in which they have been submitted by the Complainant. Those grounds are that:

First, the evidence shows that the Complainant has not given any permission or authority to the Respondent to register or use the Disputed Domain Name and there is no affiliation, business or other relationship between the Complainant and the Respondent. Thus, it could not be contended that the Disputed Domain Name had been registered with anything like the consent of the Complainant. Accordingly, the Respondent has been shown to have used the Complainant's trademark in its domain name without any right to do so.

Secondly, the Respondent did not reply to the Complainant's cease and desist letter that it sent to the Respondent on September 24, 2025. This letter set out the allegations of the Complainant that the Respondent was infringing its trademark and called on it to desist from doing so. Thus, the Respondent had every opportunity to justify, if it could, its use of the Complainant's trademark, but it failed even to attempt to do so. It can therefore reasonably be inferred that if the Respondent had any right or legitimate interest in the Disputed Domain Name, it could have and should have said so.

Thirdly, the evidence has shown that the Respondent has no trademark or other rights that could entitle it to register the Disputed Domain Name.

Fourthly, the evidence shows that the Respondent has not used the Disputed Domain Name for a bona fide offering of goods or services within the meaning of Paragraph 4(c)(i) of the Policy. The evidence, as shown by Annex 8 to the Complaint, is that the Respondent has caused the Disputed Domain Name to resolve to a webpage that has as its heading the Complainant's SYNTHIA trademark and the word "Lab" in the form of "Synthia Lab", showing a deliberate attempt to copy the trademark; moreover, the webpage shows that the Respondent is holding itself out as the Complainant by using the expressions "(o)ur focus", "our efforts", "Synthia Lab" and "(p)rojects on our roadmap". It also makes it plain that its intention is to use an "open-source synthetic data engine" which comes within the range of goods and services provided by the Complainant under its trademark and apparently to be in competition with it. All of this is an entirely improper use of the Complainant's trademark as it is a subterfuge and could not give rise to a right or legitimate interest in the very domain name used to carry out that subterfuge. There is also nothing bona fide about taking the Complainant's trademark without consent and using it allegedly to set up some sort of alternative use of the trademark.

Fifthly, the guise raised by the Respondent's use of the Disputed Domain Name that it will revolve around the Arabic language is no defence, and is fanciful, as the evidence is that the Disputed Domain Name is not an Arabic, common or generic word.

For all of these reasons the Respondent could not have had or acquired a right or legitimate interest in the Disputed Domain Name.

The Complainant has therefore made out its prima facie case. The Respondent has not rebutted the prima facie case as it is in default and has not filed a Response.

The Complainant has therefore made out the second of the three elements that it must establish under Paragraph 4(a)(ii) of the Policy.

3. Registered and Used in Bad Faith.

The Complainant must prove on the balance of probabilities both that the Disputed Domain Name was registered in bad faith and that it is being used in bad faith.

Paragraph 4(b) of the Policy sets out four circumstances, any one of which is evidence of the registration and use of a domain name in bad faith, although other circumstances may also be relied on, as the four circumstances are not exclusive. The four specified circumstances are:

(i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to the respondent's website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the site or location.

The Panel finds that the Complainant has shown that the Respondent registered and used the Disputed Domain Name in bad faith on all the grounds relied on by the Complainant.

The Panel will deal with each of those grounds in the order in which they have been raised by the Complainant, although several of them clearly overlap.

They are that:

First, the evidence is that the confusingly similar Disputed Domain Name was registered by the Respondent several years after the Complainant had acquired its SYNTHIA trademark. Thus, it is clear that the Respondent has copied the Complainant's well-established trademark, which is itself an act of bad faith as well as being an infringement and tarnishment of the trademark. Moreover, the Respondent has proposed to use the trademark to advance its own interests while impersonating the Complainant, which is also bad faith.

Secondly, the Respondent has caused the Disputed Domain Name to resolve to a website that offers a page of content capable of being used for developing an open-source synthetic data engine to generate robust, high-quality datasets which must necessarily be in competition with the similar services of the Complainant.

Thirdly, the evidence is that the Complainant's SYNTHIA trademark is highly recognisable and is thus highly valuable as well as being widely recognisable for its contribution to medical science. The Respondent is thus clearly trespassing on the Complainant's own legitimate and well-known field without permission, which is a brazen act of bad faith.

Fourthly, it is highly unlikely that the Disputed Domain Name could have been registered without the Respondent having had actual knowledge of the Complainant, its trademark and its SYNTHIA product. The Respondent has clearly been targeting the Complainant and its trademark and using them for its own ends.

Fifthly, the Respondent registered the Disputed Domain Name to prevent the Complainant from reflecting its trademark in a corresponding domain name. The Respondent has obviously sought to advance whatever commercial objectives it has by, in effect, stealing the Complainant's trademark and using it for it own ends.

Sixthly, the Respondent has disrupted the Complainant's business within the meaning of Paragraph 4(b)(iii) of the Policy. Clearly, one of the Respondent's objectives must have been to divert internet users away from the Complainant and thus reduce the Complainant's business while increasing its own business while trading on the Complainant's trademark.

Seventhly, all of the foregoing must have had the effect of confusing internet users as to whether the Respondent's webpage was a webpage of the Complainant or some rival venture, leading to confusion within the meaning of Paragraph 4(b)(iv) of the Policy.

All of the foregoing conduct leads irresistibly to the conclusion that the Respondent registered and used the Disputed Domain Name in bad faith.

The Complainant has therefore made out the third of the three elements that it must establish under Paragraph 4(a)(iii) of the Policy.

The Complainant has therefore established all of the elements it is required to prove under the Policy and the Respondent is in default and has not filed a Response. The Complainant is therefore entitled to the relief that it seeks, namely transfer of the Disputed Domain Name.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **synthialab.com**: Transferred

PANELLISTS

Name	**Neil Brown**

DATE OF PANEL DECISION 2025-11-05

Publish the Decision