Decision for dispute CAC-UDRP-108078

Case number	CAC-UDRP-108078
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Domain names	virbacuniversity.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	VIRBAC S.A.

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Nora Dean

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings relating to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant owns several trademarks “VIRBAC”, such as:

International trademark no 793769 registered since March 11, 2002;
International trademark no 420254 registered since December 15, 1975;
US trademark no 4093340 registered since January 31, 2012.

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 2000-01-15.

The disputed domain name was registered on October 14, 2025 and resolves to a parking page with commercial links. Besides, MX servers are configured.

PARTIES CONTENTIONS

COMPLAINANT

1. THE DISPUTED DOMAIN NAME IS IDENTICAL OR CONFUSINGLY SIMILAR

The disputed domain name is confusingly similar to the Complainant’s trademark VIRBAC. Indeed, the trademark “VIRBAC” is included in its entirety.

Indeed, the addition of the term “UNIVERSITY” is not sufficient to escape the finding that the domain name is confusingly similar to the trademark “VIRBAC”. It does not change the overall impression of the designation as being connected to the Complainant’s trademark. It is well-established that “a domain name that wholly incorporates a Complainant’s registered trademark may be sufficient to establish confusing similarity for purposes of the UDRP”.

Moreover, the Complainant contends that the addition of the suffix “.COM” does not change the overall impression of the designation as being connected to the trademark “VIRBAC”. It does not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trademark and its associated domain names.

Thus, the disputed domain name is confusingly similar to the Complainant’s trademark “VIRBAC”.

2. RESPONDENT HAS NO RIGHTS OR LEGITIMATE INTEREST IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant asserts that the Respondent is not identified in the Whois database as the disputed domain name. Past panels have held that a Respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name. Thus, the Respondent is not known as the disputed domain name.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the domain name and he is not related in any way with the Complainant. The Complainant does not carry out any activity for, nor has any business with the Respondent. Neither license nor authorization has been granted to the Respondent to make any use of the Complainant’s trademark “VIRBAC” or apply for registration of the disputed domain name by the Complainant.

Furthermore, the disputed domain name resolves to a parking page with commercial links. Past panels have found it is not a bona fide offering of goods or services or legitimate non-commercial or fair use.

Thus, in accordance with the foregoing, the Complainant contends that the Respondent has no right or legitimate interest in respect of the disputed domain name.

3. THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS BEING USED IN BAD FAITH

The Complainant contends that the disputed domain name is confusingly similar to its trademark “VIRBAC”, which covers the United States.

The Respondent has registered the disputed domain name several years after the registration of the trademark “VIRBAC” by the Complainant, which has established a strong reputation while using this trademark, especially in the United States where it operates via its US office in Texas.

Besides, all the results of a search of the terms "VIRBAC UNIVERSITY" refer to the Complainant and its resources for veterinary.

Therefore, given the distinctiveness of the Complainant's trademarks and reputation, it is reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's trademark and with the Complainant in mind.

Furthermore, the disputed domain name resolves to a parking page with commercial links. The Complainant contends the Respondent has attempted to attract Internet users for commercial gain to his own website thanks to the Complainant’s trademarks for its own commercial gain, which is evidence of bad faith.

Finally, the disputed domain name has been set up with MX records which suggests that it may be actively used for email purposes.

Thus, Complainant contends that Respondent has registered the disputed domain name and is using it in bad faith.

RESPONDENT

No administratively compliant Response was filed.

RIGHTS

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

NO RIGHTS OR LEGITIMATE INTERESTS

To the satisfaction of the Panel, the Complainant has 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

To the satisfaction of the Panel, the Complainant has 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 have been met, and there is no other reason why it would be unsuitable for providing the Decision.

PRINCIPAL REASONS FOR THE DECISION

1. Identical or Confusingly Similar

The Complainant must demonstrate that the disputed domain name is identical or confusingly similar to a trademark in which it holds rights, and in this case, the Complainant has established such rights through several registrations for the mark “VIRBAC”, since at least 1975, as well as provided evidence of its presence in the market and its use. These elements constitute valid evidence of trademark rights for purposes of the Policy.

Turning now to the second part of the analysis under this element, the Panel notes that the disputed domain name fully incorporates the Complainant’s trademark “VIRBAC” as its dominant element. The additional term “UNIVERSITY” does not prevent a finding of confusing similarity. As noted in WIPO Overview 3.0, section 1.8, which is persuasive to the Panel, the addition of descriptive or dictionary terms to a complainant’s mark does not alter the overall impression of the domain name or dispel confusing similarity. In the present case, the term “UNIVERSITY” merely appends a generic concept related to education or training, which may even enhance an impression of affiliation when used in conjunction with a term that seemingly refers to the Complainant, a company in the veterinary sector, without any explanation to the contrary.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant’s trademark “VIRBAC” within the meaning of paragraph 4(a)(i) of the Policy.

2. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, the Complainant must show that the Respondent lacks rights or legitimate interests in the disputed domain name. Once the Complainant makes a prima facie showing, the burden shifts to the Respondent to demonstrate otherwise, as reflected in WIPO Overview 3.0, section 2.1.

The Complainant states that it has no relationship with the Respondent and has never authorized the Respondent to use the VIRBAC trademark or to register the disputed domain name. The Whois information does not identify the Respondent by the disputed domain name, and past panels have held that where the Whois data does not correspond to the domain name, the respondent is generally not considered to be commonly known by it.

The disputed domain name resolves to a parking page displaying commercial links. UDRP panels have consistently found that such use—especially when based on a complainant’s trademark— and without any explanation to the contrary, does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

In addition, the Complainant has submitted evidence showing that MX records are configured for the disputed domain name, which suggests a potential capacity for email use and in light of the above-mentioned evidence and inferences on balance of probability, further reinforces the absence of any legitimate purpose connected to the Respondent.

In the absence of any evidence from the Respondent showing rights or legitimate interests, the Panel concludes that the Complainant's prima facie case stands.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name under paragraph 4(a)(ii) of the Policy.

3. Registered and Used in Bad Faith

The Complainant's "VIRBAC" trademark has been registered for many years, including in the United States, which appears to be the domicile of the Respondent, and where the Complainant operates through its Texas office. The disputed domain name was registered long after these trademark rights were established. The Complainant also notes that searches for "VIRBAC UNIVERSITY" appear to point only to its own veterinary-related resources, which supports the conclusion that the Respondent was aware of the Complainant and its trademark when registering the disputed domain name.

The Complainant has also provided evidence that MX records are configured, suggesting that the domain name may be used for email, which further reinforces the risk of misuse and supports a finding of bad faith.

Given the circumstances—specifically, the timing of the registration which is many years after the Complainant's trademark registration, the reputation and distinctiveness of the "VIRBAC" mark, which the Respondent appears to reference or at least evoke, as well as the presence of MX records—the Panel concludes that, in the absence of any contrary explanation, the Respondent has registered and is using the disputed domain name in bad faith.

Accordingly, the requirement of paragraph 4(a)(iii) of the Policy is satisfied.

4. Decision

For the reasons mentioned above and according to the provisions in Paragraph 4(i) of the Policy and Paragraph 15 of the Rules, the Panel orders the transfer of the disputed domain name to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **virbacuniversity.com**: Transferred

PANELLISTS

Name	**Rodolfo Rivas Rea**

DATE OF PANEL DECISION 2025-11-20

Publish the Decision