Decision for dispute CAC-UDRP-108196

Case number	CAC-UDRP-108196
Time of filing	2025-12-18 09:41:49
Domain names	neuropure.net

Case administrator

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

Complainant

Organization	Société des Produits Nestlé S.A.

Complainant representative

Organization	Thomsen Trampedach GmbH

Respondent

Name	manpreet singh

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 registered owner of the US national trademark, NEUROPURE, registration number 7790279, filed 15 November 2023 and registered 13 May 2025 in international class 5 for nutritional supplements; nutritional and dietary supplements; vitamin preparations; and mineral food supplements.

FACTUAL BACKGROUND

The Complainant, Société des Produits Nestlé S.A., is a wholly owned subsidiary of Nestlé S.A., the main operating company in the Nestlé Group, which was founded by Henri Nestlé in 1866. The Complainant owns the US national trademark, NEUROPURE.

The Nestlé Group markets its products in 190 countries. It has about 275 000 employees worldwide and has a physical presence in 80 countries. It offers a broad range of products, including dietary supplements under several brands. Among these brands is Pure Encapsulations, which focuses on hypoallergenic supplements. In 2012, Pure Encapsulations launched the "Integrative Mental Health Series", which included the key product NeuroPure. NeuroPure is formulated to support serotonin and dopamine production and has been marketed continuously in the United States since 2012.

The Respondent is located in Mukstar, India. The Respondent registered the disputed domain name on 5 August 2024. The disputed domain name resolves to a website that promotes a neurological supplement that is also branded "NeuroPure".

PARTIES CONTENTIONS

Complainant

The Complainant submits that the disputed domain name is identical to a trademark in which the Complainant has rights. It argues that the Respondent has no rights or legitimate interests in the disputed domain name and states:

i. the Respondent is not commonly known by the disputed domain name;
ii. the disputed domain name is not being used for a bona fide offering of goods or services; and
iii. the disputed domain name is being used to display a website advertising a neurological supplement under the NEUROPURE mark that corresponds with the Complainant's pre-existing NEUROPURE product.

The Complainant asserts that its NEUROPURE mark was first used in commerce in 2012. It states that the Respondent registered and has used the disputed domain name in bad faith and that it is being used sell products under the NEUROPURE name in competition with those of the Complainant.

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

Respondent

The Respondent has not filed a Response to the Compliant.

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

Paragraph 4(a) of the Policy requires the Complainant to prove each of the following three elements:

i. the disputed domain is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
ii. the Respondent has no rights or legitimate interests in the disputed domain name; and
iii. the disputed domain name has been registered and used in bad faith.

IDENTICAL OR CONFUSINGLY SIMILAR

The Complainant has trademark rights in the word NEUROPURE.

The disputed domain name is comprised of the Complainant's trademark NEUROPURE and the top-level domain ".net". The top-level domain is a standard registration requirement and can be disregarded when determining whether the disputed domain name is confusing similarity to the Complainant's trademark.

Ignoring the top-level domain, the Panel concludes that the disputed domain name is identical to the Complainant's trademark and that the requirements of Paragraph 4(a)(i) of the Policy have been met.

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has provided evidence to show that the Complainant's rights in the NEUROPURE mark were established through consistent use in commerce for over 12 years when the disputed domain was acquired, and has established a prima facie case that the Respondent lacks rights or legitimate interest in the disputed domain name. The burden of proof now shifts now to the Respondent to show that he has relevant rights.

The Respondent has not filed a Response, nor challenged any of the Complainant's assertions. The Respondent has not provided any explanation for registering the disputed domain name, and has not provided any evidence to demonstrate any rights or a legitimate interest in the disputed domain name. There is nothing to indicate that the Respondent is commonly known by the disputed domain name, nor is the Respondent affiliated with the Complainant. The Respondent's use of the disputed domain name for a website that promotes goods under the NEUROPURE name, in competition with the Complainant's NEUROPURE products, is not a bona fide offering of goods and services.

Considering these factors, the Panel concludes that the Respondent has no rights or legitimate interest in the disputed domain name and that the Complainant has met the requirements of paragraph 4(a)(ii) of the Policy.

REGISTERED AND BEING USED IN BAD FAITH

The Complainant has submitted evidence to show that:

i. its NEUROPURE mark has been used in commerce for over 12 years;
ii. its U.S. trademark application for NEUROPURE had been filed when the Respondent registered the disputed domain name;
iii. its NEUROPURE brand began to be marketed in 2012 with yearly sales demonstrating consistent growth;
iv. two prior UDRP panels have found that the Complainant's NEUROPURE mark was established through market recognition prior to the registration of the disputed domain name; and
v. the disputed domain is being used to display a landing page advertising and selling a neurological supplement product in competition with the Complainant's NEUROPURE product.

The Panel finds, on the balance of probabilities, that the Respondent must have known of the Complainant's NEUROPURE mark when the Respondent registered the disputed domain. The Panel concludes that the Respondent registered the disputed domain name in bad faith with the intention of attracting Internet users for commercial gain by creating a link between the Complainant's NEUROPURE brand and the Respondent's website displaying NEUROPURE products in competition with those of the Complainant.

The Panel concludes that the disputed domain name was both registered and is being used in bad faith and that the requirements of paragraph 4(a)(iii) of the Policy have been met.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **neuropure.net**: Transferred

PANELLISTS

Name	**Veronica Bailey**

DATE OF PANEL DECISION 2026-01-22

Publish the Decision