Decision for dispute CAC-UDRP-108291

Case number	CAC-UDRP-108291
Time of filing	2026-01-09 10:20:25
Domain names	novartiscorp.top

Case administrator

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

Complainant

Organization	Novartis AG

Complainant representative

Organization	Abion GmbH

Respondent

Organization	Jegtheme Studio

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

Complainant is the owner of multiple trademarks for NOVARTS, including the international trademark NOVARTIS nr. 663765, date of registration 1 July 1996 and the Indonesian trademark NOVARTIS No. IDM000668579 registered on 31 January 2020.

FACTUAL BACKGROUND

According to the information provided the disputed domain name <novartiscorp.top> was registered on 24 October 2025.

According to the information provided by Complainant the disputed domain name currently does not resolve to an active website. Previously the disputed domain name resolved to a WordPress administrator login page.

PARTIES CONTENTIONS

Complainant

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

According to the evidence submitted by Complainant, Complainant is the holding company of the Novartis Group. The Novartis Group is one of the biggest global pharmaceutical and healthcare groups. It provides solutions to address the evolving needs of patients worldwide by developing and delivering innovative medical treatments and drugs. The Novartis Group achieved net sales of USD 50.3 billion, total net income amounted to USD 11.9 billion and employed approximately 76.000 full-time equivalent employees as of December 31, 2024. The Novartis group has maintained a long-standing presence in Indonesia, the country where respondent is located, for more than 50 years, originally operating through its predecessor companies, Ciba and Sandoz. Today, the Novartis Group's activities are consolidated under a single legal entity, PT Novartis Indonesia.

Complainant submits that the disputed domain name is confusingly similar to Complainant's trademark. The disputed domain name incorporates Complainant's well-known trademark NOVARTIS in its entirety and the term "corp", which is commonly understood as an abbreviation for "corporation", as well as the generic Top-Level Domain ".top". The addition of the term "corp" would not prevent of confusing similarity. The presence of the generic Top-Level Domain ("gTLD") extension ".top" in the disputed domain name is a standard registration requirement.

According to Complainant, Respondent has no rights or legitimate interest in the disputed domain name. Complainant has never granted Respondent with any rights to use the NOVARTIS trademark in any form, including in the disputed domain name. Moreover, there is no evidence that Respondent is known by the dispute domain name or owns any corresponding registered trademarks. According to Respondent's alleged website at "support.jegtheme.com", Respondent is a professional web developer that creates premium themes and plugins. No mentions on the website at "support.jegtheme.com" refer to the name "Novartis". It therefore appears that the disputed domain name bears no connection to Respondent's name, business, or bona fide offering of goods or services. Complainant submits that the structure of the disputed domain name – incorporating Complainant's trademark NOVARTIS in its entirety, the term "corp" and the gTLD ".top" – reveals that Respondent's intention in registering the disputed domain name was to refer to Complainant, its trademark and business activity and to create an association, and a subsequent likelihood of confusion, with Complainant and its NOVARTIS trademark in Internet users' mind. Currently the disputed domain name is being passively held. There is no evidence showing that Respondent is using, or preparing to use, the disputed domain name in connection with a bona fide offering of goods and services or has made a legitimate noncommercial or fair use of the disputed domain name.

According to Complainant the disputed domain name is registered and is being used in bad faith. Complainant's trademark registrations significantly predate the registration of the disputed domain name and Respondent has never been authorized by Complainant to register the disputed domain name. Moreover, the Novartis Group has an active business presence in Indonesia, country where Respondent is based. By conducting a simple search online on popular search engines regarding the terms "Novartis" – alone or in association with the term "corp" –, Respondent would have inevitably learnt about Complainant, its trademark and business. Complainant submits that the disputed domain name is passively held. Previous UDRP Panels have held, under the doctrine of passive holding, that "the non-use of a domain would not prevent a finding of bad faith" (see WIPO Overview 3.0, section 3.3). Complainant asserts that there is no evidence of any actual or contemplated good-faith use of the disputed domain name.

Respondent

No administratively compliant Response has been filed.

RIGHTS

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 Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

Complainant has, to the satisfaction of the Panel, shown 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

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

In the opinion of the Panel the disputed domain name is confusingly similar to Complainant's trademark. Many UDRP decisions have found that a disputed domain name is identical or confusingly similar to a complainant's trademark where the relevant trademark is recognizable within the disputed domain name. Complainant has established that it is the owner of a trademark registration for NOVARTIS. The disputed domain name incorporates the entirety of the well-known NOVARTIS trademark as its distinctive element. The addition of the descriptive term "corp" in the disputed domain name, is insufficient to avoid a finding of confusing similarity as the NOVARTIS trademark remains the dominant component of the disputed domain name. The generic Top-Level Domain ("gTLD") ".top" in the disputed domain name may be disregarded. The Panel notes that Complainant's registration of its trademark predates the creation date of the disputed domain name.

In the opinion of the Panel Complainant has made a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Complainant has not licensed or otherwise permitted Respondent to use its trademark or to register the disputed domain name incorporating its mark. Respondent is not making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark of Complainant. Respondent is not commonly known by the disputed domain name nor has it acquired trademark rights. Complainant has no relationship with Respondent. The current non-use of the disputed domain name does represent a bona offering of goods or services. The Panel also takes into account that according to the undisputed evidence submitted by Complainant, the disputed domain name previously resolved to a WordPress administrator login page which cannot be considered a bona fide offering of goods and services.

Respondent did not submit any response.

Under these circumstances, the Panel finds that Respondent has no rights or legitimate interests in the disputed domain name.

The Panel finds that the disputed domain name has been registered and is being used in bad faith. Complainant has rights in the NOVARTIS trademark. Respondent, as a professional IT company, knew or should have known that the disputed domain name included Complainant's well-known mark, also as Complainant has a substantial presence in Indonesia, the country where Respondent is located.

The Panel also notes the undisputed submission of Complainant that the disputed domain name currently does not resolve to an active website. It is well established that non-use of a domain name does not prevent a finding of bad faith use under the doctrine of passive holding (see section 3.3. of the WIPO Overview 3.0). It is unlikely that Respondent will be able to make any good faith use of the disputed domain name.

The Panel finally notes that the disputed domain name incorporates Complainant's well-known trademark in its entirety, which indicates, in the circumstances of this case, that Respondent registered and used the disputed domain name with the intention to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the trademark of Complainant as to the source, sponsorship, affiliation, or endorsement of its website or location or of a service on its website or location, which constitutes registration and use in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **novartiscorp.top**: Transferred

PANELLISTS

Name	**Dinant T.L. Oosterbaan**

DATE OF PANEL DECISION 2026-02-06

Publish the Decision