Decision for dispute CAC-UDRP-108315

Case number	CAC-UDRP-108315
Time of filing	2026-01-14 09:55:14
Domain names	novartiscareers.org

Case administrator

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

Complainant

Organization	Novartis AG

Complainant representative

Organization	Abion GmbH

Respondent

Name	Mike Stafford

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings that are pending or decided and that relate to the Disputed Domain Name.

IDENTIFICATION OF RIGHTS

Complainant states that it “owns numerous trademarks NOVARTIS registered in numerous jurisdictions all over the world.” In support thereof, Complainant cites, and provides documentation in support thereof, inter alia, Int’l Reg. No. 663,765 for NOVARTIS (registered July 1, 1996), EU Reg. No. 13,393,641 for NOVARTIS (registered on March 17, 2015) and U.S. Reg. No. 2,336,960 for NOVARTIS (registered on April 4, 2000). These registrations are referred to herein as the “NOVARTIS Trademark.”

FACTUAL BACKGROUND

Complainant states that it is “one of the biggest global pharmaceutical and healthcare groups”; that it “achieved net sales of USD 50.3 billion, and total net income amounted to USD 11.9 billion and employed 75 883 full-time equivalent employees as of December 31, 2024”; that “[i]ts medicines reach 296 million people worldwide”; and that it “owns numerous domain names composed of either its trademark NOVARTIS alone, including <novartis.com> (created on 2 April 1996) or in combination with other terms, such as <novartispharma.com> (created on 27 October 1999).”

The Disputed Domain Name was created on August 25, 2025, and, according to the Complaint, “is being passively held.”

PARTIES CONTENTIONS

Complainant contends, in relevant part, as follows:

Paragraph 4(a)(i): Complainant states that the Disputed Domain Name is confusingly similar to the NOVARTIS Trademark because the Disputed Domain Name incorporate the NOVARTIS Trademark in its entirety, and addition of the word “careers” does not prevent a finding of confusing similarity.

Paragraph 4(a)(ii): Complainant states that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, “Complainant has never granted the Respondent with any rights to use the NOVARTIS trademark in any form, including in the disputed domain name”; “there is no evidence that the Respondent is known by the dispute domain name or owns any corresponding registered trademarks”; Complainant sent a cease-and-desist letter to Respondent on November 12, 2025, and a reminder on November 24, 2025, giving Respondent “an opportunity to present some compelling arguments that they have rights or legitimate interests in the disputed domain name but have failed to do so.”

Paragraph 4(a)(iii): Complainant states that the Disputed Domain Name was registered and is being used in bad faith because, inter alia, “Complainant’s trademark registrations… significantly predate the registration of the disputed domain name… and the Respondent has never been authorized by the Complainant to register the disputed domain name”; “[t]he NOVARTIS trademark is a well-known trademark registered in many countries”; “the Novartis group has a strong presence online”; “previous UDRP Panels have stated that the NOVARTIS trademark is well-known”; and the doctrine of passive holding applies.

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

Identical or Confusingly Similar: Paragraph 4(a)(i)

The trademark citation and documentation provided by Complainant are sufficient to establish that Complainant has rights in the NOVARTIS Trademark.

As to whether the Disputed Domain Name is identical or confusingly similar to these trademarks, the relevant comparison to be made is with the second-level portion of the Disputed Domain Name only (i.e., “novartiscareers”) because “[t]he applicable Top Level Domain (‘TLD’) in a domain name (e.g., ‘.com’, ‘.club’, ‘.nyc’) is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.” WIPO Overview of WIPO Panel Views on Select UDRP Questions (“WIPO Overview 3.1”), section 1.11.1.

Here, the Disputed Domain Name contains the NOVARTIS Trademark in its entirety. As set forth in section 1.7 of WIPO Overview 3.1: “[I]n cases where a domain name incorporates the entirety of a trademark…, the domain name will normally be considered confusingly similar to that mark.”

As to the addition of the word “careers”, section 1.8 of WIPO Overview 3.1 says: “Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element.”

Accordingly, the Panel finds that Complainant has proven the first element of the Policy.

Rights or Legitimate Interests: Paragraph 4(a)(ii)

Complainant states that Respondent has no rights or legitimate interests in respect of the Disputed Domain Name because, inter alia, “Complainant has never granted the Respondent with any rights to use the NOVARTIS trademark in any form, including in the disputed domain name”; “there is no evidence that the Respondent is known by the dispute domain name or owns any corresponding registered trademarks”; Complainant sent a cease-and-desist letter to Respondent on November 12, 2025, and a reminder on November 24, 2025, giving Respondent “an opportunity to present some compelling arguments that they have rights or legitimate interests in the disputed domain name but have failed to do so.”

WIPO Overview 3.1, section 2.1, states: “Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of ‘proving a negative’, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.”

The Panel finds that Complainant has established its prima facie case and, without any evidence from Respondent to the contrary, the Panel is satisfied that Complainant has satisfied the second element of the Policy.

Registered and Used in Bad Faith: Paragraph 4(a)(iii)

Whether a domain name is registered and used in bad faith for purposes of the UDRP may be determined by evaluating four (non-exhaustive) factors set forth in paragraph 4(b) of the UDRP: (i) circumstances indicating that the registrant has registered or the registrant has 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 registrant’s documented out-of-pocket costs directly related to the domain name; or (ii) the registrant 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 registrant has engaged in a pattern of such conduct; or (iii) the registrant has registered the domain name primarily for the purpose of disrupting the business of a competitor; or (iv) by using the domain name, the registrant has intentionally attempted to attract, for commercial gain, Internet users to the registrant’s website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the registrant’s website or location or of a product or service on the registrant’s website or location.

WIPO Overview 3.1, section 3.3, states:

> From the inception of the UDRP, panelists have found that the non-use of a domain name (including a blank or “coming soon” page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panelists have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy.
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> Factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant’s mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent’s taking active steps to conceal its identity or (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent’s registration agreement).
>
> Taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark the less plausible a claimed non-infringing good faith use is likely to be, and vice versa.

Here, the NOVARTIS Trademark appears to be distinctive and appears to have a high degree of reputation given that it is protected by numerous registrations worldwide and that it is used by one of the biggest global pharmaceutical and healthcare groups. Further, Respondent did not submit a response or provide any evidence of actual or contemplated good-faith use.

Accordingly, the Panel finds that Complainant has proven the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **novartiscareers.org**: Transferred

PANELLISTS

Name	**Douglas Isenberg**

DATE OF PANEL DECISION 2026-03-02

Publish the Decision