Decision for dispute CAC-UDRP-108364

Case number	CAC-UDRP-108364
Time of filing	2026-01-27 10:10:40
Domain names	novartis-ag.xyz

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Novartis AG

Complainant representative

Organization	Abion GmbH

Respondent

Organization	Nhla associates

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 has evidenced to be the owner of various trademarks relating to its company name and brand NOVARTIS, including, but not limited to the following:

- word trademark NOVARTIS, International registration (World Intellectual Property Organization (“WIPO”)), registration No.: 663765, registration date: July 1, 1996, status: active;
- word trademark NOVARTIS, International registration (WIPO), registration No.: 1349878, registration date: November 29, 2016, status: active;
- word trademark NOVARTIS, United States Patent and Trademark Office (USPTO), registration No.: 2336960, registration date: April 4, 2000, status: active.

Also, the Complainant has owned, since 1996, the domain name <novartis.com>, which resolves to the Complainant’s main website at “www.novartis.com”, used to promote the Complainant’s products and related services in the pharmaceutical industry worldwide.

FACTUAL BACKGROUND

The disputed domain name was registered on January 15, 2026. By the time of the rendering of this Decision, the disputed domain name does not resolve to an active website, but to an error page instead. The Complainant, however, has demonstrated that at

some point before the filing of the Complaint, e.g. on January 23, 2026, the disputed domain name resolved to a typical “Pay-per-click” (“PPC”) website, displaying relevant sponsored links that related to the pharmaceutical industry such as “List of Pharmaceutical Products”, “Clinical Research Backed Medications”, “Prescription Medications And Therapies”, “Innovative Health Solutions Online” and “Buy Pharmaceutical Products”.

PARTIES CONTENTIONS

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

No administrative 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

First, the Panel finds that the disputed domain name <novartis-ag.xyz> is confusingly similar to the Complainant’s NOVARTIS trademark, as it incorporates the latter entirely, merely adding the acronym “ag” (for the German term “Aktiengesellschaft” for “stock corporation”). Moreover, it has also been held in many UDRP decisions and has meanwhile become a consensus view among UDRP panels that the mere addition of descriptive or other terms (such as e.g. the acronym “ag”) is not capable of dispelling the confusing similarity arising from such entire incorporation of the Complainant’s NOVARTIS trademark in the disputed domain name. Also, numerous UDRP panels have recognized that generic Top-Level domains (such as .xyz) are only required for the functionality of a domain name and, therefore, are usually disregarded under the first element identity/confusing similarity test.

Therefore, the Complainant has established the first element under the Policy as set forth by paragraph 4(a)(i).

Second, the Complainant contends, and the Respondent has not objected to these contentions, that the Respondent has neither made use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, nor is the Respondent commonly known under the disputed domain name, nor is the Respondent making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain. The Respondent has not been licensed or otherwise authorized to use the Complainant’s NOVARTIS trademark, either as a domain name or in any other way. Also, there is no reason to believe that the Respondent’s name somehow corresponds with the disputed domain name and the Respondent does not appear to have any trademark rights associated with the term “novartis” on its own. Moreover, the Complainant has demonstrated that, at some point before the filing of the Complaint, the disputed domain name resolved to a typical PPC website,

displaying relevant sponsored links that related to the pharmaceutical industry such as “List of Pharmaceutical Products”, “Clinical Research Backed Medications”, “Prescription Medications And Therapies”, “Innovative Health Solutions Online” and “Buy Pharmaceutical Products”. UDRP panels have found that the generation of PPC revenues by using a domain name that is identical or confusingly similar to a complainant’s trademark and by providing links that compete with or capitalize on the reputation and goodwill of such trademark neither qualifies as a bona fide offering of goods or services nor as a legitimate noncommercial or fair use under the UDRP. Finally, the Complainant has also evidenced that, while the disputed domain name meanwhile resolves to an error page, MX servers have been activated, possibly for the purpose of sending unauthorized/illegal emails under the disputed domain name. Such making use of the disputed domain name, obviously in a fraudulent manner, again neither qualifies as a bona fide nor as a legitimate noncommercial or fair use under the UDRP and may not of itself confer rights or legitimate interests therein.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that, therefore, the Complainant has also satisfied paragraph 4(a)(ii) and, thus, the second element of the Policy.

Third, the Panel holds that the disputed domain name was registered and is being used by the Respondent in bad faith. Given the circumstances of this case (e.g. the identical inclusion of the Complainant’s undisputedly well-known NOVARTIS trademark in the disputed domain name together with the acronym “ag” directly relating to the Complainant’s company form of a stock corporation), it is obvious that the Respondent was well aware of the Complainant’s business and NOVARTIS trademark when registering the disputed domain name, and that the latter is directly targeting such trademark. Therefore, resolving such disputed domain name to a typical PPC website which shows a variety of third parties’ websites, which are presumably of commercial nature, and some of which directly refer to business in the pharmaceutical industry where the Complainant is engaged, too, for the obvious purpose of generating PPC revenues, is a clear indication that the Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusion with the Complainant’s well-known NOVARTIS trademark as to the source, sponsorship, affiliation or endorsement of this website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy. Moreover, activating MX servers under the disputed domain name at least allows the assumption that the Respondent intends to make use of the disputed domain name at some point in connection with unauthorized email services which, in turn, are inconceivable of being of a good faith nature.

Therefore, the Complainant has also satisfied the third element under the Policy as set forth by paragraph 4(a)(iii).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **novartis-ag.xyz**: Transferred

PANELLISTS

Name	**Stephanie Hartung**

DATE OF PANEL DECISION 2026-03-05

Publish the Decision