Decision for dispute CAC-UDRP-108688

Case number	CAC-UDRP-108688
Time of filing	2026-05-29 09:38:00
Domain names	novartis-ltd.com, novchina.com

Case administrator

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

Complainant

Organization	Novartis AG

Complainant representative

Organization	Abion GmbH

Respondent

Name	weisi Xu

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 names.

IDENTIFICATION OF RIGHTS

The Complainant owns the following trademark registrations for NOVARTIS:

- International trademark registration number 1349878, registered on 29 November 2016 in classes 9, 10, 41, 42 and 44;
- International trademark registration number 1544148, registered on 29 June 2020 in classes 9, 35, 38 and 42;
- International trademark registration number 663765, registered on 1 July 1996 in classes 01, 02, 03, 04, 05, 07, 08, 09, 10, 14, 16, 17, 20, 22, 28, 29, 30, 31, 32, 40, and 42; and
- European Union trademark registration number 013393641, registered on17 March 2015 in classes 9 and 10.

FACTUAL BACKGROUND

The Complainant is based in Switzerland. It is one of the biggest global pharmaceutical and healthcare groups. In 2025 it achieved net sales of USD 54.5 billion.

The Complainant owns trademark registrations for NOVARTIS in numerous jurisdictions around the world, including in China where the Respondent is based. It conducts its business under the trademark NOVARTIS and operates its official website at www.novartis.com. 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 Respondent is based in China. The Respondent used a privacy service to register the disputed domain name <novartis-ltd.com> on 24 April 2026 and the disputed domain name <novchina.com> on 19 May 2026. The language of the registration agreements is English.

Initially, the disputed domain name <novartis-ltd.com> resolved to a website that inferred a direct association with the Complainant. The website stated: “Novartis Health Limited is a Hong Kong-based pharmaceutical and healthcare solutions company”. It offered “Integrated Pharmaceutical Solutions for Global Markets” and “Scalable Healthcare Partnerships” and asserted: “We support healthcare providers, distributors, and pharma partners across Asia, the Middle East, Africa, and Europe”. Linked webpages featuring the NOVARTIS trademark purported to offer “Pharmaceutical Products”, “Medical Devices” and “Biopharmaceutical R&D”. The “Our Services” tab stated: “We manufacture and distribute pharmaceutical products in compliance with international standards.”

On 29 April 2026, the Complainant sent a takedown request to the Registrar for the disputed domain name <novartis-ltd.com>. On 5 May 2026, the Hostinger Abuse & Fraud Prevention Team notified the Complainant that that website service for the disputed domain name was suspended. Since then, the disputed domain name has not been active.

The disputed domain name <novchina.com> initially resolved to an active website that was similar to the website for the disputed domain name <novartis-ltd.com>. On 10 June 2026, after a takedown request to the Registrar, the website service for the disputed domain name <novchina.com> was also suspended. Since then, it has not been active.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain names should be transferred to it.
No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names are 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 names (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 names have been registered and are 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 that:

i. the domain name 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 domain name; and

iii. the domain name has been registered and used in bad faith.

IDENTICAL OR CONFUSINGLY SIMILAR

The Complainant owns numerous trademarks for NOVARTIS, registered in jurisdictions around the world, including China where the Respondent is based. These marks predate the registration of the disputed domain names by many years.

The disputed domain name <novartis-ltd.com> incorporates, the Complainant's NOVARTIS trademark in its entirety. The addition of the hyphen and the term 'ltd', which is commonly understood as an abbreviation for 'limited', does not prevent a finding of confusing similarity with the Complainant's mark. The Complainant's trademark is clearly recognizable in the disputed domain name. The top-level domain, ".com", is a standard registration requirement that may be disregarded when assessing whether a disputed domain name is confusingly similar to the Complainant's trademark.

The disputed domain name <novchina.com> incorporates the first three letters of the NOVARTIS trademark and geographical term "china". The website to which the disputed domain name resolved featured the Complainant's trademark, NOVARTIS, and offered goods and services in competition with those of the Complainant. While the website content is usually disregarded when assessing confusing similarity, in the present case it confirms that, on the face of it, the Respondent is seeking to target the Complainant's trademark and that the disputed domain name is intended to be confusingly similar to the Complainant's mark.

The Panel concludes that both the disputed domain names are confusingly similar to the Complainant's mark and that the requirements of Paragraph 4(a)(i) of the Policy have been met.

NO RIGHTS OR LEGITIMATE

The Complainant has rights in the mark NOVARTIS and has not granted the Respondent any rights to use that mark. The Complainant has submitted evidence to show that the Respondent does not appear to be commonly known by either of the disputed domain names and does not own any corresponding registered trademarks. The Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The burden of proof now shifts 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 nor submitted any evidence that he owns relevant rights. Operating a website featuring the Complainant's trademark and offering goods and service in competition with those of the Complainant, does not establish any legitimate rights of the Respondent in respect of the disputed domain names.

Considering these factors, the Panel concludes that the Respondent has no rights or legitimate interest in the disputed domain names 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's NOVARTIS trademark is well-established and predates the registration of the disputed domain name. The Respondent has used a privacy service to conceal his identity. The disputed domain names were used in connection a website that featured the Complainant's trademark and offered goods and services in competition with those of the Complainant. The overall look and feel of the website suggest an affiliation with Novartis. It is inconceivable that the Respondent did not know of the Complainant and its rights when he registered the disputed domain names.

The Panel concludes that the disputed domain names were both registered and are 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. **novartis-ltd.com**: Transferred
2. **novchina.com**: Transferred

PANELLISTS

Name	**Veronica Bailey**

DATE OF PANEL DECISION 2026-07-15

Publish the Decision