Decision for dispute CAC-UDRP-108755

Case number	CAC-UDRP-108755
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Domain names	ritalin-novartis.shop

Case administrator

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

Complainant

Organization	Novartis AG

Complainant representative

Organization	Abion GmbH

Respondent

Name	Hussin Bin Mohd Nor

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings relating to the disputed domain name.

IDENTIFICATION OF RIGHTS

The International trademark “NOVARTIS” No. 663765, registered on July 1, 1996;

The International trademark “NOVARTIS” No. 1349878, registered on November 29, 2016;

The European Union trademark “NOVARTIS” No. 13393641, registered on March 17, 2015;

The United States trademark “NOVARTIS” No. 2336960, registered on April 4, 2000;

The Myanmar trademark “NOVARTIS” No. MM /T/2021/014127, registered on May 19, 2026;

The UK trademark “RITALIN” No. UK00000669833, registered on 28 May 1948;

The United States trademark “RITALIN” No. 0517928, registered on 22 November 1949;

The International trademark “RITALIN” No. 278969, registered on January 25, 1964.

FACTUAL BACKGROUND

The Novartis Group provides solutions to address the evolving needs of patients worldwide by developing and delivering innovative medical treatments and drugs. Novartis AG (the “Complainant”), with headquarters in Switzerland, created in 1996 through a merger of two other companies Ciba-Geigy and Sandoz, is the holding company of the Novartis Group. In 2025, Novartis achieved net sales of USD 54.5 billion, and total net income amounted to USD 14 billion and employed 75267 full-time equivalent employees as of December 31, 2025. Novartis Group publishes their Annual Reports with detailed information about their activities globally yearly and they can be found here: https://www.novartis.com/sites/novartis_com/files/novartis-annual-report-2025.pdf.

The Novartis Group is an innovative medicines company, pursuing scientific breakthroughs. Its medicines reach 296 million people worldwide. The Complainant’s products are manufactured and sold in many countries worldwide.

Novartis has a strong business presence in the Asia-Pacific region, with offices across key markets including Hong Kong, India, Indonesia, Malaysia, China, the Philippines, Singapore, Taiwan, and Thailand. Since 2017, Novartis has implemented its Access Principles to integrate access strategies into the way it researches, develops, and delivers new medicines globally. In Asia, the company supports patient access programs in developing markets such as Cambodia, Myanmar, the Philippines, and Vietnam. A key focus area is going “beyond the pill” by providing end-to-end healthcare solutions that help identify and reduce barriers preventing patients from achieving optimal health outcomes. This includes working with healthcare systems to improve disease awareness, strengthen diagnosis and referral pathways, and support adherence to clinical treatment guidelines.

Among the many pharmaceutical products manufactured and marketed by the Novartis Group, “Ritalin” is one of its most well-known medicines. “Ritalin” contains methylphenidate hydrochloride, a central nervous system stimulant used in the treatment of Attention-Deficit/Hyperactivity Disorder and, in some formulations, other related conditions. According to Novartis product information, “Ritalin” belongs to the company’s neuroscience portfolio, and both immediate-release (“Ritalin”) and modified-release (“Ritalin LA”) formulations are available in several countries. The medicine has been used for decades and is intended to help improve attention, concentration, and behavioral control in appropriately diagnosed patients under medical supervision.

The Complainant is the owner of the registered trademarks “NOVARTIS” and “RITALIN” in numerous jurisdictions all over the world. Moreover, previous UDRP Panels have stated that the “NOVARTIS” trademark is well-known.

The Complainant owns numerous domain names composed of either its trademark “NOVARTIS” and “RITALIN”, including <novartis.com> (created on 2 April 1996), <novartis.my> (created on 2 February 2008), <ritalin.com> (created on 6 March 2020) and <ritalin.us> (created on 19 April 2002), or in combination with other terms, such as <novartispharma.com> (created on 27 October 1999). The Complainant uses these domain names to resolve to its official website through which it informs Internet users and potential consumers about its “NOVARTIS” and “RITALIN” marks, as well as its related products and services. The Complainant also enjoys a strong presence online via its official social media platforms.

The disputed domain name was registered on 21 May 2026. On 1 June 2026, the disputed domain name resolved to an error page. At the time of the filing of the Complaint and the Amended Complaint, the disputed domain name is inactive.

PARTIES CONTENTIONS

COMPLAINANT

1. The domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

The disputed domain name incorporates, in their second level-portion the Complainant’s trademark “RITALIN” in its entirety, followed by the well-known trademark “NOVARTIS” in its entirety, the two separated by a hyphen, as well as in its first level-portion the generic Top-Level Domain “.shop”.

Section 1.7 of the WIPO Overview 3.1 provides that: “[I]n cases where a domain name incorporates the entirety of a trademark, or where at least a dominant feature of the relevant mark is recognizable in the domain name, the domain name will normally be considered confusingly similar to that mark.”.

Section 1.8 of the WIPO Overview 3.1 further provides that: “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.”.

The presence of the generic Top-Level Domain (“gTLD”) extension “.shop” in the first level portion of the disputed domain name is a standard registration requirement and may be disregarded when assessing whether the disputed domain name is confusingly similar to the trademark in which the Complainant has rights.

The disputed domain name is therefore confusingly similar to the Complainant’s trademarks for “NOVARTIS” and “RITALIN”.

2. The Respondent has no rights or legitimate interests in respect of the disputed domain name;

The Complainant has never granted the Respondent with any rights to use the “NOVARTIS” and “RITALIN” trademarks in any form, including in the disputed domain name.

Moreover, there is no evidence that the Respondent is known by the dispute domain name or owns any corresponding registered trademarks.

Indeed, when conducting searches on online trademark databases regarding the disputed domain name terms “ritalin-novartis.shop”, “ritalin-novartis” or “ritalin novartis”, no information is found in relation with trademarks corresponding to the aforementioned terms. Similarly, when looking for trademark registrations in the name of the respondent “Hussin Bin Mohd Nor”, no results are found.

When conducting internet searches regarding the disputed domain or the terms “ritalin-novartis” or “ritalin novartis” on popular search engines, the top-ranking results exclusively refer to the Complainant, its products, services, and trademarks. When searching for the aforementioned disputed domain name terms in combination with the names of the Respondent “Hussin Bin Mohd Nor”, no results are found.

The Respondent has not been using, or preparing to use, the disputed domain name in connection with a bona fide offering of goods and services, nor making a legitimate noncommercial or fair use of the disputed domain name.

The structure of the disputed domain name, incorporating the Complainant’s trademarks “NOVARTIS” and “RITALIN” in its entirety reveals that the Respondent’s intention in registering the disputed domain name was to refer to the Complainant, its products, trademarks and business activity and to create an association, and a subsequent likelihood of confusion, with the Complainant and its “NOVARTIS” and “RITALIN” trademarks in Internet users’ mind. Indeed, as previously indicated, the Novartis Group distributes “Ritalin”, one of its most well-known medicines. “Ritalin” contains methylphenidate hydrochloride, a central nervous system stimulant used in the treatment of Attention-Deficit/Hyperactivity Disorder (ADHD) and, in some formulations, other related conditions. According to Novartis product information, Ritalin belongs to the company’s neuroscience portfolio, and both immediate-release (“Ritalin”) and modified-release (“Ritalin LA”) formulations are available in several countries. The medicine has been used for decades and is intended to help improve attention, concentration, and behavioural control in appropriately diagnosed patients under medical supervision.

By reading the disputed domain name, Internet users may believe that it is directly connected or authorized by the Complainant and that it will resolve to the Complainant’s official website, which is not the case. In accordance with previous UDRP Panel decisions and as indicated in the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“WIPO Jurisprudential Overview 3.1”), section 2.5. In the present case, the Respondent has aimed at making Internet users believe that the disputed domain name is directly linked to, or operated by, the Complainant.

The disputed domain name is being passively held. They do not resolve to active websites. There is no evidence showing that the Respondent has been 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.

In addition, on June 1, 2026, the Complainant sent a cease-and-desist letter to the Registrant. The Complainant sent a further reminder on June 8, 2026, but there was no response.

The cease-and-desist letter has been sent to the Registrar’s abuse e-mail address, with a request that it be forwarded to the registrant of the disputed domain name. Moreover, the registrant has also been notified through the contact form provided by the Registrar.

The Respondent has been granted 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. This behavior, coupled with the absence of use of the disputed domain name in connection with a bona fide offering of goods and services, further demonstrates the Respondent’s absence of rights or legitimate interests in respect of the disputed domain name.

For the foregoing reasons, the Respondent has no rights or legitimate interests in respect of the disputed domain name, within the meaning of the Paragraphs 4(a)(ii) and (4)(c) of the Policy.

3. The disputed domain name was registered and is being used in bad faith;

The disputed domain name was registered in bad faith

As mentioned above, the 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.

The Respondent registered the disputed domain name many years after the registrations of the Complainant’s “NOVARTIS” and “RITALIN” trademarks. Additionally, the “NOVARTIS” trademark is a well-known trademark registered in many countries.

Moreover, the Novartis group has a strong presence online. It is very active online via its official website and on social medias to promote its mark, products and services. By conducting a simple search online on popular search engines regarding the terms

“Novartis” alone or in association with the term “ritalin”, the Respondent would have inevitably learnt about the Complainant, its trademarks, products, and business as the majority of the results relate to the Complainant, its products, business activity, website, social medias accounts or related topics.

As previously mentioned, previous UDRP panels have stated that the “NOVARTIS” trademark is well-known. It is therefore inconceivable that the Respondent was unaware of the existence of the Complainant when it registered the disputed domain name.

Furthermore, the disputed domain name incorporates, in its second level portion, the Complainant’s well-known trademark “NOVARTIS” and the trademark “RITALIN”. As previously the structure of the disputed domain name therefore reflects the Respondent’s clear intention to create an association, and a subsequent likelihood of confusion, with the Complainant’s trademarks in Internet users’ mind. By reading the disputed domain name, the Internet users may believe that it is directly connected to or authorized by the Complainant. The Respondent registered the disputed domain name to take advantage of the Complainant’s widely known trademarks.

In view of the above facts, it clearly appears that the Respondent knew the Complainant and the “NOVARTIS” and “RITALIN” trademarks at the time it registered the disputed domain name. The Respondent has registered the disputed domain name in bad faith.

The disputed domain name is being used in bad faith;

The disputed domain name has been passively held.

In the present case, several factual considerations are clear indicators of bad faith use under the passive holding doctrine.

The disputed domain name incorporates in the domain name the Complaint’s trademarks “NOVARTIS” and “RITALIN”. In similar circumstances, the high degree of distinctiveness or reputation of the Complainant’s trademark is considered as an indication of bad faith registration and use of the disputed domain name by the Respondent. Moreover, as mentioned above, the “NOVARTIS” trademark is well-known and, given the strong online presence of the Complainant and its trademarks, it is implausible that the Respondent did not know them when he/she registered the disputed domain name.

The disputed domain name does not currently resolve to active website. There is therefore no evidence of any actual or contemplated good-faith use of the disputed domain name, as previous UDRP panels held.

The Complainant also sent a cease-and-desist letter to the Respondent informing of the Complainant’s rights regarding the “NOVARTIS” and “RITALIN” trademarks, to which the Respondent did not reply. Such behavior infers bad faith.

Moreover, it is likely that the Respondent is trying to conceal its identity regarding the ownership of the disputed domain name – as its name and contact details are covered by a privacy shield in the corresponding publicly available WhoIs records – which is further evidence of bad faith.

Moreover, a reverse WhoIs lookup with the e-mail of the Respondent, namely hussinbinmohdnor@gmail.com, has revealed that it currently owns numerous other domain name registrations that appear to target well-known trademarks such as <googleforex.net>, which incorporates the “google” trademark owned by Google LLC; <starlink4.us>, <starlink5.us>, <starlink6.us>, and <estarlink2.us>, which incorporate the “starlink” trademark owned by Space Exploration Technologies Corp.; <irnic.online>, which incorporates the “irnic” trade name associated with the Iranian domain name registry.

This constitutes evidence of a pattern of such conduct within the meaning of Paragraph 4(b)(ii) as it has been constantly held.

The aforementioned facts demonstrate that the Respondent has been using the disputed domain name in bad faith.

The overall described circumstances are clear demonstration of the registration and use of the disputed domain name are in bad faith.

In view of the above, the Complainant’s conduct falls within the meaning of Paragraph 4(a)(iii) of the Policy.

RESPONDENT

No administratively compliant Response was filed.

RIGHTS

To the satisfaction of the Panel, the Complainant has shown that the disputed domain name is identical or confusingly similar to the trademark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

To the satisfaction of the Panel, the Complainant has 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

To the satisfaction of the Panel, the Complainant has 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 the UDRP have been met, and there is no other reason why it would be unsuitable to provide the Decision.

PRINCIPAL REASONS FOR THE DECISION

1. **Identical or Confusingly Similar**

The Panel finds that the Complainant has established rights in the trademarks “NOVARTIS” and “RITALIN” through its trademark registrations in numerous jurisdictions dating back to at least 1996 and 1948 for each trademark respectively.

The disputed domain name, incorporates both the “RITALIN” and “NOVARTIS” trademarks in their entirety. The addition of a hyphen between the trademarks does not prevent a finding of confusing similarity. Likewise, the “.shop” generic Top-Level Domain (“gTLD”) is generally disregarded for the purposes of the first element analysis.

Both trademarks are clearly recognizable in the disputed domain name. Their combination reinforces the association with the Complainant, particularly as “RITALIN” is one of the Complainant’s heavily marketed pharmaceutical product under the “NOVARTIS” brand. Internet users are therefore likely to perceive the disputed domain name as referring to the Complainant.

Based on the record at hand, on the balance of probabilities, and in the absence of any evidence to the contrary, the Panel finds that the disputed domain name is confusingly similar to trademarks in which the Complainant has rights.

Accordingly, the Complainant has satisfied the requirements of paragraph 4(a)(i) of the Policy.

2. **Rights or Legitimate Interests**

The Panel finds that the Complainant has made out a prima facie case. The Complainant has not authorized the Respondent to use its “NOVARTIS” or “RITALIN” trademarks, whether in a domain name or otherwise. There is also no evidence in the record that the Respondent is commonly known by the disputed domain name or owns any corresponding trademark rights.

The disputed domain name wholly incorporates two of the Complainant's trademarks and carries a high risk of implied affiliation with the Complainant. In the circumstances of this case, such composition cannot constitute fair use as it falsely suggests an association with the Complainant.

Additionally, there is no evidence that the Respondent has used, or made demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services, or for a legitimate noncommercial or fair use. The Panel also notes that the Respondent did not reply to the Complainant's cease-and-desist communications and has not participated in these proceedings to rebut the Complainant's prima facie case.

Based on the record at hand, on the balance of probabilities, and in the absence of any evidence to the contrary, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

Accordingly, the Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

3. **Registered and Used in Bad Faith**

The Panel finds that the circumstances of this case support such a finding. The disputed domain name wholly incorporates the Complainant's “NOVARTIS” and “RITALIN” trademarks, both of which significantly predate the registration of the disputed domain name. The composition of the disputed domain name, combining the Complainant's house mark with one of its heavily marketed pharmaceutical products, leaves little room for coincidence and strongly suggests that the Respondent had the Complainant and its trademarks in mind when registering the disputed domain name.

The Panel finds it more likely than not that the Respondent was aware of the Complainant and its trademark rights at the time of registration. There is nothing in the record suggesting otherwise.

Although the disputed domain name does not resolve to an active website, in the circumstances of this case, the Panel notes the distinctiveness of the Complainant's trademarks, the absence of any plausible good faith use of the disputed domain name, the Respondent's failure to reply to the Complainant's cease-and-desist communications or otherwise participate in these proceedings, and the evidence submitted by the Complainant indicating that the Respondent has registered other domain names incorporating well-known third-party trademarks. Taken together, these circumstances support a finding of bad faith registration and use.

Based on the record at hand, on the balance of probabilities, and in the absence of any evidence to the contrary, the Panel finds that the disputed domain name was registered and is being used in bad faith.

Accordingly, the Complainant has satisfied the requirements of paragraph 4(a)(iii) of the Policy.

4. **Decision**

For the reasons mentioned above and according to the provisions in Paragraph 4(i) of the Policy and Paragraph 15 of the Rules, the Panel orders the transfer of the disputed domain name to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **ritalin-novartis.shop**: Transferred

PANELLISTS

Name	**Rodolfo Rivas Rea**

DATE OF PANEL DECISION 2026-07-17

Publish the Decision