Decision for dispute CAC-UDRP-108859

Case number	CAC-UDRP-108859
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Domain names	plivahrvats.com, plivahrvatssf.com, plivahrvatssfsv.com, plivahrvatsk.com, plivahrvatskadoo.com, plivahrvatskadoo1.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Pliva Hrvatska D.O.O.

Complainant representative

Organization	SILKA AB

Respondents

Name	Ashley Howard
Name	Ivan Saper

OTHER LEGAL PROCEEDINGS

The Panel is unaware of any other pending or decided legal proceedings in respect of the domain names <plivahrvats.com>, <plivahrvatssf.com>, <plivahrvatssfsv.com>, <plivahrvatsk.com>, <plivahrvatskadoo.com> and <plivahrvatskadoo1.com> (the "disputed domain names").

IDENTIFICATION OF RIGHTS

The Complainant, Pliva Hrvatska d.o.o., owns numerous registrations for the PLIVA trade mark in jurisdictions worldwide, including:

- International trade mark registration no. 673793, registered on 10 December 1996;
- United Kingdom trade mark registration no. UK00002281294, registered on 15 March 2002; and
- Canadian trade mark registration no. TMA727553, registered on 30 October 2008.

The Complainant maintains an online presence through, among others, the domain name <pliva.hr>, which it states has been in use since 1999. The Complainant also refers to previous UDRP decisions concerning the reputation of the PLIVA trade mark.

FACTUAL BACKGROUND

A. Complainant's Factual Allegations

The Complainant is a Croatian pharmaceutical company whose origins date to 1921. Since 2008, it has formed part of the Teva Group. The Complainant states that it is the largest pharmaceutical company in Croatia and a leading pharmaceutical manufacturer in Southeastern Europe.

B. Respondents' Position

The Respondents did not file a Response.

C. Disputed Domain Names

The disputed domain names were registered between 20 February and 10 March 2026 through the same Registrar, Spaceship, Inc.

The Registrar verification disclosed two registrants. Ashley Howard is the registrant of record for the disputed domain names <plivahrvats.com>, <plivahrvatssf.com> and <plivahrvatssfsv.com>. Ivan Saper is the registrant of record for the disputed domain names <plivahrvatsk.com>, <plivahrvatskadoo.com> and <plivahrvatskadoo1.com>.

The evidence submitted with the Complaint shows that the disputed domain names <plivahrvats.com>, <plivahrvatssf.com> and <plivahrvatssfsv.com> resolved to suspended websites for which browser security warnings were displayed, while the remaining disputed domain names did not display active content. The Complaint further establishes that MX records have been configured for the disputed domain names.

PARTIES CONTENTIONS

A. Complainant

A.1 The disputed domain names are identical or confusingly similar to a trade mark in which the Complainant has rights

The Complainant submits that it owns longstanding registered rights in the PLIVA trade mark and refers to previous UDRP decisions concerning the reputation of the mark.

Each disputed domain name incorporates the PLIVA trade mark in its entirety. The additional elements "hrvats", "hrvatsk", "hrvatskadoo", "hrvatskadoo1", "hrvatssf" and "hrvatssfsv" do not prevent the PLIVA trade mark from remaining clearly recognisable. The Complainant further submits that those elements are either associated with Croatia or arbitrary combinations of letters. In particular, "Hrvatska" is the Croatian name for Croatia, while two of the disputed domain names, <plivahrvatskadoo.com> and <plivahrvatskadoo1.com>, substantially reproduce the Complainant's corporate name, Pliva Hrvatska d.o.o.

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

The Complainant submits that the Respondents have no relationship or affiliation with the Complainant and have never been authorised, licensed or otherwise permitted to use the PLIVA trade mark.

The Complainant further submits that there is no evidence that the Respondents own corresponding trade mark rights or are commonly known by the disputed domain names. Three of the disputed domain names resolve to suspended websites and the remaining disputed domain names do not display active content. There is no evidence of use or demonstrable preparations to use any of the disputed domain names in connection with a bona fide offering of goods or services or any legitimate noncommercial or fair use.

The Complainant also contends that the composition of the disputed domain names carries a risk of implied affiliation with the Complainant and its Croatian operations.

A.3 The disputed domain names were registered and are being used in bad faith

The Complainant submits that the Respondents registered the disputed domain names with knowledge of, and an intention to target, the PLIVA trade mark.

In support of its case, the Complainant points to the longstanding registration and use of its PLIVA trade mark, the composition of the six disputed domain names, the incorporation of the PLIVA trade mark in each of them, and the fact that two substantially reproduce the Complainant’s corporate name. The Complainant also refers to Google search evidence which, it submits, shows that searches corresponding to the disputed domain names predominantly returned results relating to the Complainant before the disputed domain names were registered.

As regards use, the Complainant points to the suspended or inactive status of the disputed domain names and submits that passive holding does not preclude a finding of bad faith in the circumstances. It further refers to the configured MX records as creating a risk that the disputed domain names could be used for deceptive email communications.

A.4 Consolidation

The Complainant requests consolidation of the disputes against Ashley Howard and Ivan Saper pursuant to paragraph 10(e) of the UDRP Rules.

The Complainant submits that, notwithstanding the differing registrant details disclosed by the Registrar, all six disputed domain names are subject to common control.

In support of that request, the Complainant points, among other matters, to the common and highly specific naming pattern of the disputed domain names; their registration through the same Registrar within a period of less than three weeks; the registration of <plivahrvats.com> and <plivahrvatsk.com> under different registrant names only four days apart; the identical MX configuration; and inconsistencies in the registrant contact information. The Complainant submits that consolidation would be fair and equitable to all Parties and would promote procedural efficiency.

A.5 Relief sought

The Complainant requests transfer of all six disputed domain names.

B. Respondents

No Response was filed. The Panel therefore proceeds on the basis of the evidence before it and may draw such inferences from the Respondents' default as it considers appropriate under the UDRP Rules. The Respondents' default does not relieve the Complainant of its burden of establishing each of the elements required by paragraph 4(a) of the UDRP Policy.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain names are confusingly similar to a trade mark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the UDRP Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown that the Respondents have no rights or legitimate interests in respect of the disputed domain names (within the meaning of paragraph 4(a)(ii) of the UDRP Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain names were registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the UDRP Policy).

PROCEDURAL FACTORS

1. Consolidation

The Complaint has been brought against two nominal Respondents in respect of six disputed domain names.

Paragraph 3(c) of the UDRP Rules permits a complaint to relate to more than one domain name provided that the domain names are registered by the same domain-name holder. Paragraph 10(e) of the UDRP Rules confers upon the Panel discretion to consolidate multiple domain name disputes in accordance with the UDRP Policy and the UDRP Rules.

The Panel has considered the Complaint, the UDRP Rules, and the approach reflected in section 4.11.2 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions, Third Edition. In determining whether consolidation is appropriate, panels generally consider whether the disputed domain names or corresponding websites are subject to common control and whether consolidation would be fair and equitable to all parties.

Although the Registrar verification disclosed different registrant names and contact details, the Panel is satisfied, on the balance of probabilities, that the six disputed domain names are subject to common control.

The Panel reaches that conclusion having regard to the cumulative evidence. All six disputed domain names adopt the same highly specific naming pattern, beginning with "plivahrvats" and incorporating the Complainant's PLIVA trade mark. They were registered through the same Registrar within a period of less than three weeks. Of particular significance, <plivahrvats.com>, registered in the name of Ashley Howard on 20 February 2026, and <plivahrvatsk.com>, registered in the name of Ivan Saper on 24 February 2026, differ by only one letter and were registered only four days apart. The disputed domain names also share identical MX records.

The Panel further notes the apparent inconsistencies in the disclosed registrant information relied upon by the Complainant,

including discrepancies between the stated locations and telephone details and, in the case of Ivan Saper, the use of the postal code "00000". Those matters do not independently establish common control, but reinforce the inference arising from the registration pattern and technical commonalities.

Considered collectively, these circumstances outweigh the differences in the disclosed registrant details and are sufficient to establish, on the balance of probabilities, that the disputed domain names are subject to common control.

The Panel is further satisfied that consolidation is fair and equitable to the Parties and promotes procedural efficiency. Both nominal Respondents have been afforded an opportunity to participate in the proceeding and neither has objected to consolidation or otherwise responded to the Complaint.

Accordingly, the Panel grants the Complainant's request for consolidation. The Panel refers below to Ashley Howard and Ivan Saper collectively as the "Respondent".

2. Miscellaneous

The Panel is satisfied that all procedural requirements under the UDRP Policy, the UDRP Rules and the CAC Supplemental Rules have been met and that there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

A. Applicable Legal Framework

Pursuant to Rule 15 of the UDRP Rules, the Panel decides on the basis of the statements and evidence submitted, in accordance with the UDRP Policy, the UDRP Rules, and any applicable principles of law that it deems applicable.

Under paragraph 4(a) of the UDRP Policy, the Complainant must establish, on the balance of probabilities, that:

> (i) the disputed domain names are identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
>
> (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
>
> (iii) the disputed domain names have been registered and are being used in bad faith.

B. Identical or Confusingly Similar

The Panel finds that the Complainant has established registered rights in the PLIVA trade mark.

The PLIVA trade mark is readily recognisable within each disputed domain name. The additional strings do not alter that conclusion.

The Panel therefore finds that the disputed domain names are confusingly similar to a trade mark in which the Complainant has rights and that the first element of paragraph 4(a) of the UDRP Policy has been established.

C. Rights or Legitimate Interests

The evidence before the Panel discloses no basis upon which the Respondent could claim rights or legitimate interests in the disputed domain names. The Complainant has made the requisite prima facie showing, and the Respondent has not participated in the proceeding or otherwise sought to rebut it.

There is no evidence that the Respondent has been authorised to use the Complainant's PLIVA trade mark or is commonly known by any of the disputed domain names. Nor does the record disclose any use, or demonstrable preparations to use the disputed domain names, in connection with a bona fide offering of goods or services or any legitimate noncommercial or fair use. The evidence instead shows that three of the disputed domain names resolved to suspended websites, while the remaining disputed domain names did not display active content.

In those circumstances, and in the absence of any explanation from the Respondent, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain names and that the second element of paragraph 4(a) of the UDRP Policy has been established.

D. Registered and Used in Bad Faith

The Panel is satisfied that the Respondent registered the disputed domain names with knowledge of, and an intention to target, the Complainant and its PLIVA trade mark.

The Complainant's registered rights substantially predate the registration of the disputed domain names. Each of the six disputed domain names incorporates the PLIVA trade mark in its entirety and combines it with elements associated with Croatia, the Complainant's country of origin, or arbitrary letter combinations. Two of the disputed domain names also closely reproduce the Complainant's corporate name.

The coordinated registration pattern provides further support for that conclusion. The six disputed domain names were registered within a short period and follow closely related naming conventions. In the circumstances, the Panel considers it implausible that they were selected independently of the Complainant and its PLIVA trade mark.

The absence of active substantive content does not prevent a finding of bad faith. The evidence shows that three of the disputed domain names resolved to suspended websites accompanied by browser security warnings, while the remaining disputed domain names did not display active content. Having regard to the Complainant's longstanding PLIVA rights, the composition of the disputed domain names, the absence of any rights or legitimate interests and the Respondent's failure to provide any explanation for its conduct, the Panel is satisfied that the passive holding of the disputed domain names constitutes bad faith use in the circumstances of this case.

The Panel also notes that MX records have been configured for the disputed domain names. The Panel does not infer from the existence of those records alone that deceptive email activity has occurred. In the circumstances of this case, however, their configuration provides additional support for the finding of bad faith, given the potential for email communications using the disputed domain names to appear to be associated with the Complainant.

Taking the circumstances as a whole, the Panel finds that the disputed domain names were registered and are being used in bad faith and that the third element of paragraph 4(a) of the UDRP Policy has been established.

E. Decision

For the foregoing reasons, in accordance with paragraph 4(i) of the UDRP Policy and Rule 15 of the UDRP Rules, the Panel orders that the disputed domain names <plivahrvats.com> <plivahrvatssf.com>, <plivahrvatssfsv.com>, <plivahrvatsk.com>, <plivahrvatskadoo.com> and <plivahrvatskadoo1.com> be transferred to the Complainant, Pliva Hrvatska d.o.o.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **plivahrvats.com**: Transferred
2. **plivahrvatssf.com**: Transferred
3. **plivahrvatssfsv.com**: Transferred
4. **plivahrvatsk.com**: Transferred
5. **plivahrvatskadoo.com**: Transferred
6. **plivahrvatskadoo1.com**: Transferred

PANELLISTS

Name	**Yana Zhou**

DATE OF PANEL DECISION 2026-09-03

Publish the Decision