Decision for dispute CAC-UDRP-109056

Case number	CAC-UDRP-109056
Time of filing	2026-10-12 09:47:17
Domain names	novartispharmagroup.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Novartis AG

Complainant representative

Organization	Abion GmbH

Respondent

Name	adam umaji

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 relies on registered rights in the word mark NOVARTIS, including International Registration No. 663765, registered on July 1, 1996, and European Union Registration No. 013393641, registered on March 17, 2015.

FACTUAL BACKGROUND

The Complainant is a Swiss company and the holding company of the Novartis Group, an international pharmaceutical group established in 1996. The Group develops and supplies medicines worldwide. Novartis Pharma Schweiz AG is a company within the Group.

The Complainant operates an online presence through domain names incorporating its NOVARTIS trademark, including <novartis.com> and <novartispharma.com>.

According to the Complaint, the disputed domain name was registered on April 10, 2026. The Registrar disclosed the underlying registrant as adam umaji, with an address in the Russian Federation. The publicly available registration information had identified a privacy service.

The Complainant states that the disputed domain name has resolved to a German-language website promoting digital marketing

services, including search engine optimisation, AI-assisted media placement and conversion services. The website presents those services under the name "Novartis Pharma Schweiz AG".

The Complainant denies any affiliation with the Respondent and states that it has not authorised the Respondent to use its NOVARTIS trademark or the name of a Novartis Group company.

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 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

1 Identical or confusingly similar

The Complainant has established trademark rights in NOVARTIS. For the first element, the relevant comparison is between that mark and the disputed domain name.

The disputed domain name reproduces NOVARTIS in its entirety as its opening element. The words "pharma" and "group" follow the mark without altering its recognisability. Their addition therefore does not prevent a finding of confusing similarity. The ".com" suffix is a standard registration element and may be disregarded for this comparison.

The Complainant has therefore satisfied paragraph 4(a)(i) of the Policy.

2 Rights or legitimate interests

The Complainant states that the Respondent is neither affiliated with it nor authorised to use the NOVARTIS mark. The disclosed registrant name, adam umaji, bears no resemblance to the disputed domain name. There is no evidence before the Panel of an independent entitlement to the name NOVARTIS or that the Respondent has been commonly known by the disputed domain name.

These circumstances establish a prima facie case calling for evidence of a right or legitimate interest from the Respondent. The ultimate burden of proof remains with the Complainant.

The use described in the Complaint does not establish any such entitlement. The website promotes commercial marketing services under the name of an actual Novartis Group company, without that company's authorisation. The Panel accepts the Complainant's account of this use. The combination of the NOVARTIS mark with "pharma" and "group" suggests a website associated with the

Complainant's pharmaceutical group, and the website's use of "Novartis Pharma Schweiz AG" reinforces that impression.

The fact that marketing services may be offered does not make this use bona fide. Those services are promoted through an unauthorised presentation of a Novartis Group identity. Nor does that presentation constitute legitimate noncommercial or fair use. A domain name used to convey a false affiliation with the trademark owner cannot derive legitimacy from that false association.

The Panel finds no basis in the record for a right or legitimate interest under paragraph 4(c) of the Policy or otherwise. The Complainant has therefore satisfied paragraph 4(a)(ii) of the Policy.

3 Registration and use in bad faith

Paragraph 4(a)(iii) of the Policy requires proof of both registration and use in bad faith. The Panel assesses these requirements on the balance of probabilities.

The Complainant's NOVARTIS trademark registrations substantially predate the disputed domain name. More significantly, the Respondent selected the distinctive mark NOVARTIS together with two terms closely associated with the Complainant's business: "pharma" and "group". The resulting name points specifically towards the Novartis pharmaceutical group.

The subsequent use of the exact name "Novartis Pharma Schweiz AG" on the associated website confirms the targeted character of that selection. The Panel infers, on the balance of probabilities, that the Respondent knew of the Complainant and its trademark when registering the disputed domain name and intended to exploit an apparent connection with the Novartis Group. The registration was therefore made in bad faith.

The use of the disputed domain name also constitutes bad faith. Internet users encountering <novartispharmagroup.com> may reasonably expect a website operated or authorised by the Novartis Group. Instead, the domain name leads to a website promoting commercial services under the name of a Group company without authorisation. The Respondent thereby uses the Complainant's identity and reputation to lend apparent credibility to those services.

The Panel infers a commercial purpose from the promotion of revenue-generating marketing services. It is unnecessary to establish that a user actually purchased a service or that the Respondent received payment. The relevant conduct is the intentional attempt to attract users for commercial gain through confusion over the website's source or affiliation. The Panel finds that this conduct falls within paragraph 4(b)(iv) of the Policy.

The Complainant has therefore satisfied paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **novartispharmagroup.com**: Transferred

PANELLISTS

Name	**Jan Schnedler**

DATE OF PANEL DECISION 2026-11-05

Publish the Decision