Decision for dispute CAC-UDRP-109088

Case number	CAC-UDRP-109088
Time of filing	2026-10-19 10:43:11
Domain names	internal-novartis.com

Case administrator

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

Complainant

Organization	Novartis AG

Complainant representative

Organization	Abion GmbH

Respondent

Name	Dk Shukla

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 owns several trademark registrations across various jurisdictions, including:

- The International trademark NOVARTIS No. 1349878, registered on November 29, 2016, designating, inter alia, India;

- The International trademark NOVARTIS No. 1544148, registered on June 29, 2020, designating, inter alia, India;

- The International trademark NOVARTIS No. 1922597, registered on March 11, 2026;

- The International trademark NOVARTIS No. 666218, registered on October 31, 1996;

- The Swiss national trademark NOVARTIS No. 427370, registered on July 1, 1996 (hereinafter cumulatively referred to as the "Trademark").

The Respondent did not file a Response and thus, did not claim any rights on the disputed domain name.

FACTUAL BACKGROUND

The Complainant is Novartis AG, 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.

The Novartis Group also has a significant presence in India, where the Respondent is based. The Novartis Group maintains corporate offices in Mumbai and Hyderabad and operates a substantial development hub supporting the research and development of innovative medicines, clinical development, global clinical operations, patient safety and other global functions.

The Complainant owns numerous domain names composed of the Trademark, including <novartis.com> (created on April 2, 1996), <novartis.ch> (created on March 10, 1996), <novartis.in> (created on February 16, 2005).

The disputed domain name <internal-novartis.com> was created on October 8, 2026. The disputed domain name used to redirect Internet users to the Complainant's official website at “novartis.com”. Following a takedown request sent by the Complainant to the Registrar, the disputed domain name has been suspended by the Registrar and currently does not resolve to any active website.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant contends that the disputed domain name is confusingly similar to the Trademark, and that the addition of the term “internal” would not prevent a finding of confusing similarity.

Furthermore, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. In this regard, the Complainant states that the Respondent is not commonly known by the disputed domain name, that it is not affiliated with nor authorized by the Complainant in any way, that the Complainant does not carry out any activity for, nor has any business with the Respondent, and that neither license nor authorization has been granted to the Respondent to make any use of the Trademark or apply for registration of the disputed domain name by the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It contends that the Respondent must have been aware of the Complainant and its Trademark at the time of registration of the disputed domain name as the Trademark is well-known and that the Respondent's use of the disputed domain name is evidence of bad faith under para. 4(b)(iv) of the Policy, as it intentionally tried to attract users by creating a likelihood of confusion with the Complainant’s trademark as to the source of the website associated to the disputed domain name constitutes evidence of bad faith registration and use.

RESPONDENT:

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

Under paragraph 4(a) of the Policy, the Complainant must prove that each of the following three elements is present:

(i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; and

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

1. The Panel accepts that the disputed domain name is confusingly similar to the Trademark as it fully incorporates it. It is well established that a domain name that wholly incorporates a trademark may be confusingly similar to such trademark for purposes of the Policy despite of the addition of other generic or descriptive terms. In the present case, the addition of the word "internal" is not preventing a finding of confusing similarity.

2. Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

The Respondent does not appear to have any rights to use the Trademark in any form, including in the disputed domain name. It does not seem that the Respondent is known by the disputed domain name or owns any corresponding registered trademarks, and it 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.

Instead, the disputed domain name redirected to the Complainant's official website. This use is confusing the internet user and provides an unfair advantage to the Respondent by capitalising on its Trademark and reputation. This use of the disputed domain name cannot confer rights or legitimate interests on the Respondent.

Consequently, the Panel finds that the Complainant has fulfilled its obligations under paragraph 4(a)(ii) of the Policy. The Respondent did not deny these assertions in any way and therefore failed to prove any rights or legitimate interests in the disputed domain name.

3.1 The Panel is satisfied that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights in the Trademark as the Trademark is highly distinctive, well-established and very well-known.

3.2 Furthermore, the Panel accepts the Complainant's contentions that the disputed domain name has been used in bad faith under paragraph 4(b)(iv) of the Policy. The Respondent tried to intentionally attract users by creating a likelihood of confusion with the Complainant’s trademark as to the source of the website associated to the disputed domain name.

The Panel finds that the Complainant has also established the third element of the Policy successfully.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **internal-novartis.com**: Transferred

PANELLISTS

Name	**Stefanie Efstathiou LL.M. mult.**

DATE OF PANEL DECISION 2026-11-19

Publish the Decision