

ADMINISTRATIVE PANEL DECISION

Regeneron Pharmaceuticals, Inc. v. Name Redacted

Case No. D2022-4271

1. The Parties

Complainant is Regeneron Pharmaceuticals, Inc., United States of America (“United States”), represented by Ruggiero McAllister & McMahon LLC, United States.

Respondent is Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <regeneronusa.com> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 9, 2022. On November 10, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 10, 2022, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to Complainant on November 16, 2022 providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on November 18, 2022.

The Center verified that the Complaint, together with the amended Complaint, satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

¹ Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the apparent identity theft, the Panel has redacted the Respondent’s name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on November 23, 2022. In accordance with the Rules, paragraph 5, the due date for Response was December 13, 2022. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on December 29, 2022.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on January 6, 2023. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

Complainant is owner of numerous registrations on the Principal Register of the United States Patent and Trademark Office (USPTO) for the trademark REGENERON, and numerous registrations with trademark authorities in other countries. At the USPTO, this includes (without limitation) registration number 1,654,595, registration dated August 20, 1991, in International Class (IC) 42, covering research and development of medicines and treatments for neurological diseases and psychiatric disorders, and; registration number 1,933,337, registration dated November 7, 1995, in IC 5, covering pharmaceuticals for treatments in human and/or animals, as further specified.

The Panel takes administrative notice that Complainant is a well-known researcher, developer and distributor of pharmaceutical products based in the United States. It is a publicly traded company on the US NASDAQ exchange (ticker: REGN) with a current market valuation of approximately USD 80 billion. It has earned a substantial number of awards in its professional community. It operates a commercial website at "regeneron.com".

According to the Registrar's verification, the registrant of the disputed domain name is a senior executive at Complainant. The disputed domain name was registered on October 6, 2022.

The disputed domain name is redirected to Complainant's commercial website.

Complainant has asserted that the party named as registrant of the disputed domain name, a senior executive at Complainant, did not register the disputed domain name. Complainant has provided evidence of use of the disputed domain name in the form of a fraudulent and deceptive procurement email that purports to originate from the senior executive named as registrant, with the disputed domain name serving as the email origination domain. The language used in that fraudulent and deceptive email is inconsistent with what might reasonably be expected from a procurement inquiry that might have been prepared by a senior executive such as the person from whom it is purported to originate. That email incorporates Complainant's physical address in the body of the email, and a telephone contact number that is part of Complainant's business.

5. Discussion and Findings

The Panel renders this decision in favor of Complainant, taking into account (1) that Complainant has provided substantial evidence to support its rights in the REGENERON trademark and (2) the use of the disputed domain name to impersonate Complainant.

On the basis of the evidence presented in the Complaint, as reflected above in the Factual Background, the Panel determines that (1) Complainant has rights in the trademark REGENERON, (2) the disputed domain name is confusingly similar to that trademark (WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)", section 1.7), (3) Complainant has established that Respondent has no rights or legitimate interests in the disputed domain name ([WIPO Overview 3.0](#), section 2.13), and (4) the disputed domain name was registered and is being used in bad faith ([WIPO Overview 3.0](#), section 3.4).

6. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <regeneronusa.com> be transferred to Complainant.

/Frederick M. Abbott/

Frederick M. Abbott

Sole Panelist

Date: January 20, 2023