

## **ADMINISTRATIVE PANEL DECISION**

Celltrion Holdings Co., Ltd. v. waye paul, john trading  
Case No. D2025-0260

### **1. The Parties**

The Complainant is Celltrion Holdings Co., Ltd., Republic of Korea, represented by SILKA AB, Sweden.

The Respondent is waye paul, john trading, Macao, China.

### **2. The Domain Name and Registrar**

The disputed domain name <celltrion.cam> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 23, 2025. On January 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (Redacted for Privacy / Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 29, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on January 30, 2025.

The Center verified that the Complaint together with the amendment to the 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”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on January 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 20, 2025.

The Center appointed Meera Chature Sankhari as the sole panelist in this matter on February 24, 2025. 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**

The Complainant Celltrion Holdings Co., Ltd. was established in 2010 as a spin-off of the investment business division of Celltrion Healthcare Co., Ltd. (which in turn merged as Celltrion, Inc. – another Celltrion Group company – in 2023). The Complainant is the majority shareholder of Celltrion, Inc. (the company that constitutes the primary source of business for the Celltrion Group) by directly inheriting all the Celltrion Group shares that had been owned by Celltrion Healthcare Co., Ltd.

The Complainant, headquartered in Incheon, Republic of Korea, is a global integrated biotechnology company involved in the research, development and production of, as its key business, biosimilar, biodrugs, and chemical drugs. The Complainant, with an annual production capacity of 250,000L, claims it is the largest manufacturer and exporter of biosimilars in the Republic of Korea.

The Complainant holds active trademark registrations for CELLTRION (and for CELLTRION CONNECT), which cover many jurisdictions. Some of these trademarks include – Registration No. 4005644080000 in the Republic of Korea in Class 5 dated November 3, 2003, Registration No. 4100984750000 in the Republic of Korea in Class 42 dated March 12, 2004, Registration No. 4100984730000 in the Republic of Korea in Class 44 dated March 12, 2004, Registration No. 4020200143876 in the Republic of Korea in Class 29 dated January 25, 2022 and Registration No. 4018915140000 for CELLTRION CONNECT in the Republic of Korea in Class 44 dated July 21, 2022.

The Complainant advertises its goods and services online across multiple official websites including that of “www.celltrion.com” (registered in February 2002). The Complainant and its subsidiaries hold and use a portfolio of other domain names which encompass the CELLTRION mark, tailored for different markets around the world. These registrations include, for example, <celltrion.kr>, <celltrion.co.kr>, <celltrionhealthcare.com>, <celltrionhealthcare.fr>, <celltrionhealthcare.nl>, <celltrionhc.com>, and <celltrionconnect.com>.

The disputed domain name was registered on June 20, 2024 and resolves to a website with a heading stating “Celltrion Taking care of you every step of the way” and an indication “You can enroll in Celltrion CONNECT® by calling or visiting the website [...]”. The website also contains a link to redirect Internet users to a gambling website.

#### **5. Parties’ Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the Complainant holds many trademark registrations for the “Celltrion” term across multiple jurisdictions. The Complainant also contends that the disputed domain name uses the CELLTRION mark in full, without alteration or addition, and is therefore identical to the CELLTRION mark for the purposes of the first element comparison test. It is further contended that a generic Top-Level Domain (“gTLD”), such as “.cam”, is typically disregarded when assessing whether a domain name is identical or confusingly similar to a trademark.

The Complainant submits that the Respondent lacks rights or legitimate interests in the disputed domain name. That the Respondent does not have trademark rights for, nor has it been commonly known by, "Celltrion" or any similar term. The Respondent is not connected to nor affiliated with the Complainant and nor has the Complainant granted any license or consent to the Respondent to use the CELLTRION mark in any way. It is further contended that the Respondent has not used, nor prepared to use, the disputed domain name in connection with a bona fide offering of goods or services, nor a legitimate noncommercial or fair use. The disputed domain name currently resolves to a site which, among other things, contains the words "LINE Add friend" with a link and the heading "fafawin168", a page with Thai text which translates to "Celltrion Taking care of you every step of the way [...] You can enroll in Celltrion CONNECT® by calling or visiting the website. Note: Request to report any unwanted results." Clicking on any of the text indicated immediately above directs Internet users to "www.fafawin168.info", which appears to represent (and purports to offer) a third-party gambling service. The Complainant further contends that the Respondent is using the CELLTRION mark to attract, advertise and increase Internet traffic to an unrelated third-party gambling service. The Respondent also makes a specific reference to the Complainant's CELLTRION CONNECT trademark, creating the misleading impression that the advertised "fafawin168" gambling service is somehow connected with, authorised or otherwise endorsed by the Complainant, which the Complainant denies. Such conduct capitalizes on the CELLTRION brand and creates confusion among Internet users who may, given the juxtaposition of the trademark with the "fafawin168" name, be led to believe there is a legitimate connection between the entities, which once again, the Complainant denies.

The Complainant submits that owing to the goodwill and recognition in the CELLTRION brand, amassed by the Complainant, it is clear that a very simple degree of due diligence would have made any prospective registrant of the disputed domain name aware of the Complainant's rights in the mark CELLTRION. The Complainant further submits that the Respondent's selection of the disputed domain name's gTLD ".cam", given its visual similarity to that of ".com", is evidence of the Respondent's specific awareness of the Complainant's well-established "www.celltrion.com" website. The Complainant contends that the use of CELLTRION CONNECT trademark further makes it clear that the Respondent registered the disputed domain name in bad faith, for its confusing similarity with, and intention of targeting, the Complainant's CELLTRION brand.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

## **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

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 (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

That the disputed domain name’s composition creates a high risk of implied affiliation with the Complainant. The Respondent has reproduced the CELLTRION mark in full, only followed by the “.cam” gTLD, as such, the disputed domain name is also nearly identical to the Complainant’s official “www.celltrion.com” website. Panels have repeatedly found that domain names identical to a complainant’s trademark carry a high risk of implied affiliation.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established.

## **C. Registered and Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent is using the disputed domain name, which without alteration or addition comprises the Complainant’s CELLTRION mark, to host a site that references the Complainant’s CELLTRION and CELLTRION CONNECT trademarks and purports to advertise a third-party gambling service, including through a link to the third-party gambling website. The Complainant has no connection with the Respondent or the “fafawin168” gambling platform. The Respondent, through its conduct, intentionally attracts Internet users and trades off the Complainant’s trademark, including, as shown by the Complainant, (i) references the Complainant’s trademarks in the disputed domain name and on the associated website creating a false association between the Complainant and a third-party gambling platform; and (ii) includes a link redirecting users to a commercial gambling platform. Such use reflects the Respondent’s intention to create a likelihood of confusion with, and commercially capitalize on the Complainant’s mark CELLTRION in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain name constitutes bad faith under the Policy.

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

## 7. 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 <celltrion.cam> be transferred to the Complainant.

*/Meera Chature Sankhari/*

**Meera Chature Sankhari**

Sole Panelist

Date: March 7, 2025