

Domain Name Dispute Resolution Center (DNDRC)

Arbitration and Mediation Center

COMPLAINT PANEL DECISION

Case No. 2025-0015

Also in PDF C2025-0015

1. The Complainant

The Complainant is Haleon US Holdings LLC, having its office at 251 Little Falls Drive, Wilmington, Delaware, 19808, United States of America. The Complainant has initiated the Complaint vide their authorized representative, James Taylor, Safenames Ltd, with their address at Safenames House, Sunrise Parkway, Linford Wood, Milton Keynes, MK14 6LS, United Kingdom.

2. The Domain Name and Respondent

The domain name upon which the Complaint is based is <centrum.pk>, hereinafter referred to as the Disputed Domain Name [“the DDN”].

PKNIC has informed DNDRC that the DDN is registered by Adnan Javed with the contact name Adnan Javed, with their address at 305 Y Block DHA and that the email address provided at the time of registration of the DDN is rockk45@gmail.com.

3. Procedural History

DNDRC was informed of the Complaint against the Respondent in accordance with the PKNIC - Internet Domain Registration Policy upon receiving notification from the Complainant on 28 February 2025. An administrative review of the Complaint was conducted and completed on 05 March 2025, following which the Complainant was notified of the compliance review’s completion and the subsequent procedural requirements on 05 March 2025.

Upon the Complainant’s fulfillment of the procedural requirements on 27 March 2025, DNDRC formally requested the Respondent’s registration details from PKNIC on 05 April 2025. PKNIC provided the requested details on 07 April 2025.

DNDRC issued a formal notification of the dispute to the Respondent on 08 April 2025, enclosing a copy of the Complaint and a Response Form, informing the Respondent that failure to submit a Response within 10 days would result in the dispute proceeding ex parte. DNDRC issued two reminders to the Respondent to file the Response Form on 11 April 2025 and 17 April 2025.

The Respondent sought an extension to file the Response Form on 19 April 2025 until 01 May 2025 which was granted by the Panel. Subsequently, the Respondent sought a further extension on 02 May 2025, requesting an additional period until 15 May 2025. An informal response was submitted by the Respondent on 17 May 2025 due to which the Panel provided the Respondent with a final opportunity to be heard, extending the deadline for submission of the Response Form until 02 June 2025.

The Complaint along with all relevant material was referred to the appointed arbitrator for review and decision on 03 June 2025. The arbitrator completed the review and issued a decision on 05 June 2025. DNDRC, following the completion of the procedural obligations, transmitted the decision to the concerned parties on 05 June 2025.

Applying Paragraph 4(a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the *Rules*), DNDRC appointed Mr. Willayat Ali Shah as the sole Arbitrator who has verified that the Complaint satisfies the formal requirements of the Policy and the Rules.

Factual Background

4. Parties Contentions

(a) Complainant

The Complainant's brief contentions are reproduced below:

7.1. The Complaint is based on the Complainant's registered trademarks rights in the CENTRUM term and logo, which include, but are not limited to, the following:

<i>Trademark</i>	<i>Country</i>	<i>Registration Number</i>	<i>Registration Date</i>	<i>Nice Class(es)</i>
<i>CENTRUM</i>	<i>United States</i>	<i>1115936</i>	<i>03/04/1979</i>	<i>5</i>
<i>CENTRUM</i>	<i>Australia</i>	<i>325848</i>	<i>17/01/1979</i>	<i>5</i>
<i>CENTRUM</i>	<i>India</i>	<i>628704</i>	<i>23/05/1994</i>	<i>5</i>
<i>CENTRUM</i>	<i>European Union</i>	<i>018179896</i>	<i>08/10/2020</i>	<i>9, 10</i>

<i>CENTRUM</i>	<i>European Union</i>	<i>018265465</i>	<i>28/10/2020</i>	<i>5</i>
	<i>United States</i>	<i>7043541</i>	<i>24/08/2020</i>	<i>5</i>
<i>CENTRUM</i>	<i>Pakistan</i>	<i>228540</i>	<i>30/07/2010</i>	<i>5</i>
<i>CENTRUM</i>	<i>Pakistan</i>	<i>68847</i>	<i>29/01/1979</i>	<i>5</i>

7.2. *The Complainant provides evidence of trademark rights in **Annex 2**. The CENTRUM mark was first registered by Wyeth Holdings, which was purchased by Pfizer (New PCH LLC) in 2009. The consumer healthcare arm of Pfizer (New PCH LLC) merged with that of GlaxoSmithKline in 2019. This entity, GlaxoSmithKline Consumer Healthcare Holdings (US) LLC, changed its name to Haleon US Holdings LLC (see paragraph 8.1, below). Some of the Complainant's registered trademarks remain under the GlaxoSmithKline Consumer Healthcare Holdings (US) LLC name due to ongoing processing of records, although it remains the same entity (the Complainant). Where provided, registration certificates from the relevant trademark offices may display former registrant names, although current ownership in the Complainant's current name is verified through additional documents submitted in Annex 2 (e.g. pages 2-9, 14, 23, and 30-37) and are verifiable on their respective online trademark databases.*

Therefore, the Complainant seeks the following remedy:

9.1. *The Complainant requests the Panel appointed in this proceeding that the domain name be transferred to the Complainant.*

(b) Respondent

The Respondent did not make a submission.

5. Jurisdiction

The Panel's jurisdiction over this dispute between the Complainant and the Respondent is established by virtue of the Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules.

The Respondent applied for and was granted registration of the DDN on the basis of these regulations, and has submitted to, the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) and the Rules and correspondingly to the arbitral jurisdiction of the DNDRC and its

arbitration decisions.

6. Discussion and Findings

In the landmark case of *Standard Chartered PLC v. Hosting Campus Domain* (case no. C2007-0001) available on the DNDRC website (http://www.dndrc.com/cases_resolved/pdf/c2007-0001.pdf), the Panel laid down the following four heads under which to analyze cases, under the Internet Domain Registration Policy version 4.4 (2019-08-19) and the UDRP:

1. *Illegality, unlawfulness or otherwise invalidity of the Application & Registration (a criteria in terms of the PKNIC - Internet Domain Registration Policy June 20, 2006 version 4.1 in addition to the criteria of the UDRP)*
2. *Identical or confusing similarity to a trademark or service mark in which the Complainant has rights (a UDRP criteria)*
3. *Legitimate interest in Domain Name (a UDRP criteria)*
4. *Registration and use in bad faith (a UDRP criteria)*

The decision of the dispute shall be addressed with respect to the following aspects:

- i. Illegality, unlawfulness or otherwise invalidity with respect to the Application & Registration (a PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) criteria).
- ii. Identical or confusing similarity with a trademark or service in which the Complainant has rights (a UDRP criteria).
- iii. Legitimate interest in the domain name (a UDRP criteria).
- iv. Registration and use of the domain name in bad faith (a UDRP criteria).

I. Illegality, unlawfulness or otherwise invalidity of the Application & Registration

The PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19) states that it creates an exception for, and thus excludes the registration of a domain name that:

- a. *infringes upon a registered tradename,*
- b. *is not bona fide as recognized by international best practice,*
- c. *in the opinion of PKNIC, a contravention of the latest version of the Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/ Anti-Terrorism Act, 1997/any applicable criminal law,*

- d. has been declared by a Criminal Court of appropriate jurisdiction to have contravened the latest version of Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/Anti-Terrorism Act, 1997/any applicable criminal law), or*
- e. in the opinion of PKNIC is not appropriate for registration.*

As per the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19),

If a party claims that a domain name already registered with PKNIC violates their registered tradename, an obvious derivation of their registered company name is not bona fide as recognized by international best practice, and is a contravention in the opinion of PKNIC to be a contravention of the latest version of the Pakistan Penal Code Act, 1860 (including offences of defamation & blasphemy)/ Anti-Terrorism Act, 1997/any applicable criminal law, PKNIC reserves the right to cancel, or transfer the domain to the claiming party as per the ICANN's Uniform Domain Name Dispute Resolution Policy [UDRP] (with PKNIC amendments) or as per the orders of a court judgment in Pakistan.

Therefore, for the purpose of assessing illegality, unlawfulness or otherwise invalidity of the Application & Registration of the DDN, the application and registration of the DDN shall be assessed in consideration of the following criteria:

- i. Whether the DDN infringes upon a registered trade name / trade mark?
- ii. Whether the application and/or registration of the DDN is bona fide?
- iii. Whether the application and/or registration of the DDN contravenes the Pakistan Penal Code, 1860 (the "Penal Code") or any applicable criminal law?

The Complainant has made the following submissions:

8.11. Previous cases have outlined that, for the purpose of assessing illegality, unlawfulness or otherwise invalidity of the Application & Registration of the Disputed Domain Name, the application and registration of the Disputed Domain Name shall be assessed in consideration of the following criteria:

8.11.1. Whether the Disputed Domain Name infringes upon a registered trade name / trademark?

8.11.2. Whether the application and/or registration of the Disputed Domain Name is bona fide?

- 8.11.3. *Whether the application and/or registration of the Disputed Domain Name contravenes the Pakistan Penal Code, 1860 (the “Penal Code”) or any applicable criminal law?*
- 8.12. *The Complainant submits, by way of example, a copy of the trademark certificate no. 228540 issued by the Government of Pakistan indicating that it has registered the word mark CENTRUM in Pakistan. These trademarks cover goods within Nice class 5 (see Annex 2). The Complainant’s CENTRUM trademark rights in Pakistan significantly predate the Respondent’s registration of the Disputed Domain Name, which is identical to the CENTRUM mark. Previous decisions have found that such factors contribute to a finding that a respondent’s domain name registration infringes a complainant’s trademark rights (see, for example, L’Oréal v. Irfan Shaukat, Case No. C2022-0009: “The DDN does prima facie incorporate in its entirety the registered trademark of the Complainant. In the view of the Panel, the DDN therefore infringes upon the trademark of the Complainant.”) There is no evidence of a bona fide purpose for the registration of the Disputed Domain Name, as the Respondent has not received permission or license to use CENTRUM trademarks. Instead, the Respondent has used the Disputed Domain Name to purport to offer the Complainant’s products on a website which impersonates the Complainant. Using a platform which impersonates a rightsholder, while advertising that rightsholder’s goods, cannot be considered a bona fide use of a mark.*
- 8.13. *The panel in Standard Chartered PLC v. Hosting Campus Domain, Case No.C2007-0001 found that where it is established that a respondent’s domain name infringes upon a complainant’s registered trademark, this renders the respondent’s domain name to be illegal, unlawful and invalid and constitutes an adequate ground for the transfer of the domain name to the complainant.*
- 8.14. *Nevertheless, the Complainant submits full arguments pertaining to UDRP criteria, below, which also provides grounds for transfer of the Disputed Domain Name to the Complainant.*

The Respondent has not submitted a response.

The Panel notes that the criterion of illegality requires the express contravention of trademark rights by the DDN. For that purpose, the Complainant has provided proofs of their registration of their mark “CENTRUM” around the world including in Pakistan.

The Complainant has also cited previous decisions of the DNDRC Panel to support their claim of the DDN infringing the trademark rights of the Complainant. The Panel has reviewed *L’Oréal v.*

Irfan Shaukat, Case No. C2022-0009 and Standard Chartered PLC v. Hosting Campus Domain, Case No.C2007-0001 as cited by the Complainant and finds that the satisfaction of this criteria relies on the infringement of a Complainant's registered trademark, which if found, would be sufficient to transfer the DDN to the Complainant.

The Panel notes that the DDN <centrum.pk> incorporates the registered trademark of the Complainant "CENTRUM" in its entirety, leaving no room for interpretation. As such, the DDN is infringing the registered trademark of the Complainant and violating Section 40 of the Trademarks Ordinance, 2001. The finding further satisfies the requirement under PKNIC - Internet Domain Registration Policy version 4.4 due to the DDN infringing on the Complainant's registered mark, contravening the provisions of the Trademark Ordinance, 2001 and the lack of submissions from Respondents demonstrating no bona fide registration of the DDN.

The Panel finds the registration of the DDN to be in violation of PKNIC - Internet Domain Registration Policy version 4.4. For the sake of discussion, the Panel finds it important to individually assess each of the three UDRP criteria.

II. Identical or confusing similarity to a trademark or service mark in which the Complainant has rights

The Complainant has made the following submissions:

- 8.15. As shown in Section 7 of this Complaint, the Complainant is the owner of numerous registered trademarks for CENTRUM (see Annex 2). The Complainant also highlights the goodwill and recognition that has been attained under the name CENTRUM (including within Pakistan), as evidenced in the Factual Grounds. The CENTRUM mark is a distinctive identifier associated with the Complainant's goods. The Complainant has therefore satisfied the requirement of 'having rights' to a trademark.*
- 8.16. The Complainant submits that their CENTRUM trademark is identical to the Disputed Domain Name. Disregarding the '.pk' top-level domain, which is a standard registration requirement, consists solely of the CENTRUM mark. There is no addition nor alteration made to the term CENTRUM, which is plainly recognisable in the Disputed Domain Name. The use of the CENTRUM mark, with no distinguishing term or alteration, constitutes a high risk of consumer confusion.*
- 8.17. The Complainant requests that the Panel concurs and classifies the Disputed Domain Name as identical to the Complainant's CENTRUM mark.*

The Respondent has not submitted a response.

The Complainant has contended that the DDN is identical to the DDN and have provided corresponding proof demonstrating their ownership with respect to the trademark rights in the DDN.

The Panel notes that the test for assessing identity or confusing similarity involves a side-by-side comparison of the DDN with the textual components of the trademark to assess whether the mark is recognizable within the DDN according to Paragraph 1.7 of WIPO Overview 3.0. It also states that where the entirety of a trademark is incorporated into a DDN, it will be considered confusingly similar to that trademark. Since the entirety of the Complainant's trademark "CENTRUM" is incorporated within the DDN, the DDN would normally be considered as confusingly similar to the DDN.

Additionally, the Panel agrees with the Complainant and finds that the extensions such as .com or .pk cannot prevent the finding of confusing similarity between the DDN and the Complainant's mark as they are necessary for registrations (See WIPO Overview 3.0 Section 1.11.1).

Accordingly, the Panel concludes that the DDN is identical to a trademark in which the Complainant holds rights.

III. Legitimate interests in a domain name

As per paragraph 4(c), the UDRP requires the Respondent's claim to be of legitimate interest and shall be:

"proved based on all evidence presented" that "shall demonstrate" the Respondent's "rights or legitimate interests to the domain name for purposes of Paragraph 4(a)(ii)."

Paragraph 4(a)(ii) states that:

"(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or

(iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

The Complainant has made the following submissions:

- 8.18. Following the submissions made in this section of the dispute, the burden will shift to the Respondent to produce evidence that they have rights or legitimate interests in the Disputed Domain Name.*
- 8.19. To the best of the Complainant’s knowledge, the Respondent does not have any trademark rights to the term CENTRUM. There is also no evidence that the Respondent retains unregistered trademark rights to the term CENTRUM. Neither has the Respondent received any license from the Complainant to use domain names featuring the CENTRUM trademark. Paragraph 4(c) of the UDRP stipulates some circumstances where the Respondent can demonstrate a right or legitimate interest in a domain name. The Complainant submits that none of the circumstances apply in this case. “(i) Whether, before any notice to the Respondent of the dispute, Respondent’s use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name is in connection with a bona fide offering of goods or services”*
- 8.20. The Respondent’s use of the Disputed Domain Name (see paragraph 8.8) does not confer a right or legitimate interest upon the Respondent. There is no disclaimer clarifying the Respondent’s lack of affiliation with the Complainant. Instead, the Respondent intends to cause confusion in the minds of online users, who would likely believe that the Disputed Domain Name is an official website of the Complainant.*
- 8.21. Regardless of whether goods are actually being offered, and whether those goods are genuine or counterfeit, the Respondent’s use is not legitimate given the clear attempt to impersonate the Complainant. Even if the offered goods were genuine, the Respondent would fail the reseller test outlined in WIPO Overview 3.0, Guideline 2.8 (commonly referred to as the ‘Oki Data Test’, per Oki Data Americas, Inc. v. ASD, Inc, WIPO Case No. D2001-0903). In particular, and as mentioned above, the site does not accurately and prominently disclose the Respondent’s relationship (or lack thereof) with the trademark holder. Instead, the Respondent has extensively copied official product images to give the website the same ‘look and feel’ as an official CENTRUM store (see Annex 8). This is also reflected in the Disputed Domain Name itself, which is identical to the CENTRUM mark and features no*

distinguishing element to dispel potential consumer confusion. The exception relating to use of a third-party's mark by 'resellers' under the UDRP is not intended to permit impersonation or passing-off (see, for example, Dansko, LLC v. Kenneth CNicoletti, WIPO Case No. D2024-4716: "it is not necessary for the Panel to make any ultimate determination as to the nature of the goods, as the evidence clearly shows Respondent has attempted to pass itself off as Complainant. [...] Even if the products sold on the website are genuine, there is no disclosure of Respondent's lack of relationship with Complainant on the website, and thus, the Oki Data test cannot be met.") "(ii) Whether the Respondent (as an individual, business or other organisation) has been commonly known by the domain name, even if the Respondent has acquired no trademark or service mark rights"

- 8.22. *The CENTRUM mark has a widespread reputation, as evidenced in the Factual Grounds, as a leading brand for multivitamins. To the best of the Complainant's knowledge, the Respondent is not commonly known by CENTRUM, and has only used the CENTRUM mark to impersonate the Complainant. Therefore, there is no plausible reason for the registration and use of the Disputed Domain Name, other than to target the Complainant.*

"(iii) Whether the Respondent is making a legitimate non-commercial or fair use of the domain name, without intent for commercial gain misleadingly to divert consumers or to tarnish the trademark or service mark at issue."

- 8.23. *The Complainant submits that, as supported by the evidence above, the Respondent is not making a legitimate non-commercial or fair use of the Disputed Domain Name. The Respondent's use of the Disputed Domain Name plainly evinces their awareness of the CENTRUM mark and its products. The Respondent has then misappropriated the CENTRUM mark, and branding from the Complainant's website, to confuse online users as to the source of the website. Online users, particularly those based in Pakistan, would be confused into believing that the Disputed Domain Name was the Complainant, or otherwise authorised by the Complainant, when this is not the case.*

- 8.24. *Given that the Complainant's products are listed for sale, and that the website is set up as an online store, the Respondent cannot argue its use of the CENTRUM mark is 'non-commercial'. Nor is this 'fair use', given that the Respondent intends to pass-off as the Complainant. The Respondent has not received consent or authorisation to use the CENTRUM mark or pass-off as an official CENTRUM store in Pakistan; such factors should lead to a finding that the Respondent has no rights or legitimate interests in the Disputed Domain Name (per previous cases with similar factual circumstances such as The Nature's Bounty Co v. Irfan Shaukat, Case No. C2024-0005).*

The Respondent has not submitted a response.

The Complainant asserts that the Respondent lacks any legitimate interest in the DDN, noting that the Respondent neither holds a registered trademark for “CENTRUM” nor has been authorized to use the Complainant’s mark in connection with the DDN.

As iterated by the Complainant, it is incumbent upon the Complainant to first establish a prima facie case that the Respondent lacks rights or legitimate interests in the DDN. Once this is done, the burden shifts to the Respondent to produce evidence demonstrating such rights or interests. Where the Respondent fails to meet this burden, the Complainant is deemed to have satisfied the second element of the test (see WIPO Overview 3.0).

In the present case, the Respondent did not file a Response Form, thereby failing to rebut the Complainant’s claims. As a result, the Panel finds that the Complainant has met the burden of establishing that the Respondent lacks any legitimate interest in the DDN (see *MUITAS LTD v. AMF AMF Case No. D2024-1110*).

The Panel therefore finds that the Respondent does not have any legitimate interest in the DDN.

IV. Registration and use in bad faith

The Complainant has made the following submissions:

- 8.25. *Complainant submits that the Respondent both registered and has used the Disputed Domain Name in bad faith in accordance with Paragraph 4(a)(iii) of the UDRP. The Complainant’s earliest trademark registration predates the creation date of the Disputed Domain Name by 45 years (see Annex 1 and Annex 2). In addition, substantial goodwill has accrued in the Complainant’s CENTRUM brand, as evidenced in the Factual Grounds.*
- 8.26. *Since its registration in October 2024, the only substantive use of the Disputed Domain Name has been to pass-off as an official CENTRUM online store. Therefore, the Respondent’s knowledge of the CENTRUM trademark is self-evident. The selection of an exact-match to the CENTRUM mark, as well as the Respondent’s subsequent use, also shows their intent to cause confusion in the minds of Internet users, particularly those in Pakistan. Furthermore, searching CENTRUM on popular internet search engines such as Google list the Complainant’s brand and services as the first result (Annex 9). The simplest degree of*

due diligence would have otherwise made the Respondent aware of the Complainant's rights in the CENTRUM mark.

8.27. *The Complainant sent to the Respondent a cease and desist letter on 13th January 2025 (Annex 10). This notice was sent to put the Respondent on notice of the Complainant's trademarks and rights, and with a view to resolve the matter without further escalation. The Respondent did not reply to this letter.*

8.28. *Having demonstrated bad faith registration, the Complainant asserts that the Respondent also used the Disputed Domain Name in bad faith prior to notice of the dispute. Paragraph 4(b) of the UDRP outlines some instances of behaviour that pertains to bad faith for the purposes of Paragraph 4(a)(iii). The instances applicable to this matter are described below.*

“(iv) The Respondent has intentionally attempted to attract, for commercial gain, Internet users to their website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of their website or location or of a product or service on their website or location.”

8.29. *The Respondent impersonates the Complainant in an attempt to attract, for commercial gain, online users by creating a likelihood of confusion with the Complainant's CENTRUM mark and offerings. Unauthorised use of the Complainant's product images and branding only exacerbates the Respondent's bad faith, and serves to show their intent to cause confusion. Visitors to the Respondent's website are presented with a confusingly similar variant of the CENTRUM logo, and statements insinuating affiliation with the Complainant (see Annex 8); such use is calculated to give online users the false impression that such resolving site's content is controlled and authorised by the Complainant.*

8.30. *A finding of bad faith use under these circumstances would be in line with many previous decisions made under the UDRP, including The Nature's Bounty Co v. Irfan Shaukat, Case No. C2024-0005, where a respondent used their domain name to set up an online store impersonating the complainant: “the Respondent proceeded to register the Disputed Domain Name without authorization, clearly aiming to benefit commercially from the confusion created by the similarity between the domain name and the Complainant's trademark.” WIPO panels under the UDRP also consistently find in line with the above, such as On AG and On Clouds GmbH v. Domain Administrator, See PrivacyGuardian.org et al, WIPO Case No. D2021-4340: “the Websites' content were targeting Complainants' trademark, as they prominently displayed Complainants' marks and products bearing*

Complainants' trademarks, as well as copyrighted photos of Complainants. This further supports a finding of registration in bad faith (WIPO Overview 3.0, section 3.1.4), reinforcing the likelihood of confusion, as Internet users are likely to consider the Domain Names as in some way endorsed by or connected with Complainants".

The Respondent has not submitted a response.

The Complainant submits that the Respondent registered and is using the DDN in bad faith, citing the Respondent's alleged lack of awareness of the Complainant's trademark as unconvincing. In support of its claim, the Complainant invokes Paragraph 4(b)(iv) of the Policy to substantiate the finding of bad faith.

The Panel, referencing the WIPO Overview 3.0, concurs with the Complainant that the Respondent must have been aware of the "CENTRUM" trademark at the time of registration. Furthermore, a basic online search would have readily revealed the Complainant's rights in the mark, and the Respondent's failure to conduct such due diligence supports a finding of registration in bad faith (see WIPO Case No. D2002-0806, *Carolina Herrera, Ltd. v. Alberto Rincon Garcia*).

The Panel also considers *The Nature's Bounty Co. v. Irfan Shaukat*, Case No. C2024-0005, as cited by the Complainant, and finds that the unauthorized use of the Complainant's trademark and products satisfies the criteria under Paragraph 4(b)(iv) of the Policy. This is especially relevant given that the Panel has already determined the DDN to be identical to the Complainant's mark. As further demonstrated in Annex 8, the Respondent's display of the Complainant's trademarked goods without authorization is likely to mislead consumers and appears intended to derive commercial benefit from such confusion (See also WIPO Overview 3.1.1)

Accordingly, the Panel concludes that the Respondent both registered and is using the DDN in bad faith.

7. Decision

Upon reviewing the contentions and information provided by the Complainant above, the Panel acknowledges that the "CENTRUM" mark is registered and owned by the Complainant and the Respondent has no trademark rights over it. Therefore, the continuous use of the DDN <centrum.pk> would adversely impact the exercise of the Complainant's trademark rights, despite being in a separate jurisdiction and could also jeopardize the reputation of the Complainant by amounting to confusion regarding the ownership of the DDN.

Taking all the discussion above into consideration, the Panel concludes and decides that:

1. The Respondent's registration of the DDN violates the PKNIC - Internet Domain Registration Policy version 4.4 (2019-08-19);
2. The DDN is identical to the registered trademark of the Complainant;
3. The Respondent has no legitimate interest in the DDN;
4. The DDN was registered and is being used in bad faith.

Pursuant to Section 4 of the Policy, the Panel, therefore, recommends that PKNIC transfer the registration of the DDN <centrum.pk> to the Complainant, as prayed, within 48 hours of receipt of this decision either by email or through the website where it will be uploaded, www.dndrc.com/cases_resolved/, whichever is earlier. The Complainant shall also be at liberty to contact PKNIC for implementation of this decision.

Arbitrator: Willayat Ali Shah

Sole Panelist

Date: 05 June 2025