



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE
DOMAIN NAME DISPUTE
ADMINISTRATIVE PANEL
DECISION

CIIDRC case number:	25592-CDRP	Decision date: October 26, 2025
Domain Name:	<leqembi.ca>	
Panel:	Fabrizio Bedarida	
Complainant:	Eisai R&D Management Co., Ltd.	
Registrant:	Irakli Tsaishvili	

1. OVERVIEW

This matter concerns a registered domain, **<leqembi.ca>** (the "Domain Name").

This matter is a proceeding under the Canadian Dispute Resolution Policy ("CDRP") and the Canadian Dispute Resolution Rules ("Rules") of the Canadian Internet Registry Authority ("CIRA"). The Canadian International Internet Dispute Resolution Centre ("CIIDRC") is a recognized service provider to the CIRA Domain Name Dispute Resolution Policy (the "Policy") of the Canadian Internet Registration Authority ("CIRA").

2. PROCEDURAL HISTORY

The procedural history of this case was set out in a letter from CIIDRC to the Panel dated October 10, 2025:

1. On August 21, 2025, Arthur Fouré of IP Twins, filed a Complaint on behalf of Eisai R&D Management Co., Ltd., pursuant to the CDRP and the Resolution Rules. The required commencement fee was paid on August 22, 2025. The complaint was in administrative compliance with CIRA's requirements under Rule 3.2. CIIDRC, Appointment Letter pg. 1 25592-CDRP October 9, 2025

2. On August 22, 2025, CIRA was notified of this proceeding and on September 2, 2025, CIRA transmitted by email to CIIDRC its verification response informing that the registrant of the Disputed Domain Name is Irakli

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Tsaishvili (the "Registrant"). CIRA also confirmed that the disputed domain name was placed on a Registrar LOCK and that the Domain Name has a Registration Date of 2025 01-23 (the "Registration Date").

3. Pursuant to Resolution Rule 4.4, CIIDRC notified the Registrant of this administrative proceeding and forwarded a Notice of Complaint along with the Complaint to the Registrant on September 2, 2025. The deadline for submitting a Response was set for September 22, 2025.

4. On September 21, 2025, CIIDRC received an email from the Respondent. No further response or other submission was received by the September 22, 2025 deadline or since.

5. On September 23, 2025, CIIDRC responded to the Registrant as follows: "Dear Mr. Tsaishvili, Thank you for your message, we are unable to comment on the merits of your case. The determination of ownership of the disputed domain name rests with the Panel, once appointed. Sincerely, CIIDRC Secretariat"

6. The Registrant failed to file a formal Response to the Complaint to date.

7. The Complainant in this administrative proceeding has elected for a Panel consisting of a single member.

The Complainant deposited the required Panel fee on October 8, 2025.

The Domain Name was registered on January 23, 2025.

3. FACTS

The Complainant is Eisai R&D Management Co., Ltd, the research and development company of Eisai Co., Ltd, a Japanese pharmaceutical company headquartered in Tokyo, Japan. Developed by the Complainant, Lecanemab, sold under the brand name LEQEMBI, is a monoclonal antibody medication used for the treatment of Alzheimer's disease. It was granted accelerated approval for medical use in the United States in January 2023 and fully approved by the FDA in July 2023. LEQEMBI is also approved in many other countries.

The Complainant states, and provides evidence in support thereof, that it is the owner of several dozen LEQEMBI trademarks registered worldwide, including Canadian registered trademark No. TMA1199239 for LEQEMBI, registered on September 20, 2023.

The Domain Name was registered on January 23, 2025.

4. CONTENTIONS OF THE PARTIES

- **Complainant**

The Complainant submits that:

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1. The Domain Name contains the exact word of the Complainant's earlier trademark, therefore there can be no doubt that it is confusingly similar to the Complainant's LEQEMBI trademark. The Complainant therefore submits that the first criteria under Paragraph 3.1 (a) of the Policy is satisfied.

2. The Complainant contends that the Registrant should be considered as having no legitimate interests in respect of the Domain Name that is the subject of the Complaint. Firstly, the Complainant conducted research and found no LEQEMBI trademark owned by, nor any Ontarian LEQEMBI company operated by, the Registrant. From this finding, the Complainant asserts that the Registrant has acquired no trademark in the name LEQEMBI or incorporated any company which could have granted the Registrant a legitimate interest in the disputed domain name. Furthermore, the Complainant has found no evidence whatsoever that the Registrant is known by the disputed Domain Name. Firstly, there is no evidence that the Registrant has been commonly known by the disputed Domain Name as an individual, a business, or other organization. This statement is reinforced by the fact that the Complainant filed the present Complaint soon after the registration of the disputed Domain Name, intending to not allow the Registrant to be commonly known by the disputed Domain Name. Secondly, the Registrant reproduces the Complainant's earlier registered trademark in the Domain Name without any license or authorization from the Complainant. The Complainant submits that it has not authorized the use of its earlier trademarks or terms similar thereto in the Domain Name in any manner or form, and that the Complainant and Registrant have never had any business or contractual relationships. Thirdly, the Complainant asserts that none of the circumstances listed in Paragraph 3.4 of the Policy (which indicates the circumstances under which the Registrant's legitimate interest in a domain name can be shown) apply in this case.

On the contrary, the Domain Name resolves to a holding page containing an image and the message "Work in Progress...". The term "leqembi" is not descriptive of any goods or services in any language, specifically not in French or English, and is not generic. The website associated with the Domain Name is not associated with any non-commercial legitimate activity. The Domain Name is inherently likely to mislead Internet users, and there is no evidence that the Registrant has been making a legitimate non-commercial or fair use of the Domain Name. In addition, the Complainant sees no plausible use of the Domain Name that would be legitimate, fair and non commercial. Fourthly, the adoption and extensive use of its trademarks by the Complainant predates the registration of the Domain Name.

The Complainant further contends that the Registrant registered the Domain Name in bad faith.

Firstly, the Complainant submits that the Complainant and its trademarks were so well known that it is inconceivable that the Registrant was unaware of the Complainant or its earlier rights when registering the Domain Name. The Complainant has been in business for over 80 years and distributes various medical products in over 85 countries as of May 2025. LEQEMBI is the first approved treatment shown to reduce the rate of disease progression and to slow cognitive and functional decline through monoclonal antibodies directed against amyloid-beta. LEQEMBI has been approved in over 40 countries and is pending approval in some others, including Canada.

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The Registrant's choice of the Domain Name cannot have been accidental and must have been influenced by the fame of the Complainant and its earlier trademarks. Past panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or well-known trademark by an unaffiliated entity can by itself create a presumption of bad faith.

Secondly, the Complainant submits that it is highly likely that the Registrant chose the Domain Name because of its similarity to a trademark in which the Complainant has rights and legitimate interests. This was most likely done in the hope and expectation that Internet users searching for the Complainant's services and products would instead come across the Registrant's domain name and website. Such use cannot be considered a good faith use.

Thirdly, the Complainant's trademark registrations predate the registration date of the Domain Name in the sense of the Policy. In this regard, previous Panels have established that knowledge of the Complainant's intellectual property rights, including trademarks, at the time of registration of the Domain Name, is proof of bad faith registration.

A quick trademark search would have revealed to the Registrant the existence of the Complainant and its trademarks. The Registrant's failure to do so is a contributing factor to its bad faith. Furthermore, a simple search on an online search engine would show results related to the Complainant. Therefore, at the very least, the Registrant knew or should have known that, when acquiring and using the Domain Name, it would be doing so in violation of the Complainant's earlier rights.

Fourthly, the current use of the Domain Name may not be considered good faith use. By simply maintaining the Domain Name, the Registrant is preventing the Complainant from reflecting its trademark in the corresponding domain name. In addition, following a communication sent to the Registrant through CIRA's website, the Registrant reached out to the Complainant to offer the domain name for sale for \$ 7,400.

The mere fact that the Registrant is trying to make commercial gains off the reproduction of the Complainant's trademark is a contributing factor to evidence of its registration and use of the disputed domain name in bad faith. The requested amount is clearly higher than typical out-of-pocket costs for the registration of a Canadian domain name.

Offering to sell a domain name that is confusingly similar to another party's trademark has been viewed as evidence of bad faith registration and as not giving rise to any legitimate rights in the domain name; see *Skechers USA, Inc. II v. Victoria Hansen*, CDRP Case No. DCA-2247.

Furthermore, the Complainant's Representative sent a cease and desist letter to the Registrant stating the Complainant's rights and requesting a transfer of the disputed Domain Name. From the receipt of this communication, the Registrant cannot claim that it was not aware of the Complainant's earlier rights, but still continued to maintain the disputed Domain Name.

The combination of all the elements listed and detailed above unequivocally shows that the Registrant acted in bad faith when registering the disputed Domain Name, in line with the Policy.

Registrant

The Registrant failed to file a formal response to the Complaint. The Registrant's email sent to the CIIDRC consists, in its entirety, of the following:

"Hello, everyone I would like to add my side of the story. I purchased leqembi.ca for a quirky side project where people submit random combinations of attires and shoes to be rated by others. It's a play on the spelling of the word kembi: le kembi as le qembi. I parked the plans to build out the page because I got preoccupied with personal and work matters, but I had no intention to give up on the idea. When Mr. Fouré reached out to me, I offered to part with the domain in good faith seeing that he represents a pharmaceutical company that holds the leqembi trademark. I offered what I thought was a fair price. He then demanded I simply transfer the domain over for free, or we'd end up in this situation. The whole thing felt like strong-arming the "little guy" into handing over my property. I didn't think we'd get anywhere, so I ceased communicating with Mr. Fouré. I do not want to just hand over my domain name. I purchased it on the open market. There were no disclaimers or warnings that I was infringing on a registered trademark, nor do I have any affiliations with anyone at or related to the owner of the trademark. I don't understand how someone can just demand to take my domain name from me, without any negotiation. I have not been unreasonable in my interaction with Mr. Fouré, and I don't find any of this fair. Best regards, Irakli"

Though the Registrant's informal response does not comply with Paragraph 5.2 of the Rules, the Panel will admit it for consideration in accordance with Paragraph 9.1(a) and 9.1(d) of the Rules.

- **Remedy Sought**

The Complainant requests the Domain Name be transferred to it.

5. DISCUSSION AND FINDINGS

5.1 Eligibility

In order to satisfy Paragraph 1.4 of the Policy, the Complainant must at the time of submitting a Complaint, satisfy the Canadian Presence Requirements ("CPR") in respect of the Domain Name unless the Complaint relates to a trademark registered in the Canadian Intellectual Property Office ("CIPO") and the Complainant is the owner of the trademark.

The Complainant has submitted evidence inter alia, of its CIPO Trademark Registration No. TMA1199239 for LEQEMBI registered on September 20, 2023. The Panel finds that in accordance with Paragraph 1.4 of the

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Policy, the Complaint relates to a trademark registered in the Canadian Intellectual Property Office and that the Domain Name consists of the exact word component of that registered trademark. As such, the Complainant is an eligible complainant under paragraph 1.4 of the CDRP.

5.2 Requirements

In accordance with Paragraph 4.1 of the CDRP, the onus is on the Complainant to prove that:

- (a) the Domain Name is Confusingly Similar to a trademark or service mark in which the Complainant had rights prior to the date of registration of the Domain Name and continues to have such Rights:
and
- (b) the Registrant registered the Domain Name in bad faith.

and the Complainant must provide some evidence that:

- (c) the Registrant has no legitimate interest in the Domain Name.

The Panel will consider each of these requirements in turn.

The standard of proof in the present case is a balance of probabilities pursuant to Paragraph 4.1(b) of the CDRP.

5.3 Analysis

5.3.1 Whether the Domain Name is Confusingly Similar to a Mark in which the Complainant has Rights

The Complainant has alleged in accordance with Paragraph 4.1 of the Policy, that the Domain Name is confusingly similar to a Mark in which the Complainant had Rights prior to the date of registration of the Domain Name and continues to have such rights. Pursuant to Paragraph 3.1(a) of the Policy, a Complainant must have a "Mark". A "Mark" is defined at Paragraph 3.2 of the Policy as inter alia, a trademark that is registered with CIPO. As set out above, the Complainant is the owner of CIPO registered trademark No. TMA1199239 for LEQEMBI registered on September 20, 2023, which remains valid and therefore qualifies as a Mark as understood by the Policy (the "Complainant's Mark"). The Domain Name was registered on January 20, 2025, which is after the Complainant's 2023 trademark registration date.

Pursuant to Paragraph 3.3 of the Policy, in determining whether a domain name is "confusingly similar" to a Mark, the Panel shall only consider whether the domain name so nearly resembles the Mark in appearance, sound, or the ideas suggested by the Mark as to likely to be mistaken for the Mark. Paragraph 1.2 of the Policy states that a "domain name" means the domain name excluding the "dot-ca" suffix. Accordingly, for the purpose

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of comparing the Domain Name to the Mark, the .ca suffix is ignored. Consequently, the Complainant's LEQEMBI trademark can be considered identical to the Domain Name.

Based on the foregoing, the Panel finds that the Complainant has established that the Domain Name is confusingly similar to the Complainant's Mark.

5.3.2 Whether the Registrant registered the Domain Name in Bad Faith

The Panel must now turn to the bad faith requirement contained under paragraph 3.5 of the Policy.

Pursuant to paragraph 3.5 of the CDRP, for the purposes of paragraphs 3.1(c) and 4.1(b), any of the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence that a Registrant has registered a domain name in bad faith: 4 (a) (b) (c) (d) the Registrant registered the domain name, or acquired the Registration, primarily for the purpose of selling, renting, licensing or otherwise transferring the Registration to the Complainant, or the Complainant's licensor or licensee of the Mark, or to a competitor of the Complainant or the licensee or licensor for valuable consideration in excess of the Registrant's actual costs in registering the domain name, or acquiring the Registration; the Registrant registered the domain name or acquired the Registration in order to prevent the Complainant, or the Complainant's licensor or licensee of the Mark, from registering the Mark as a domain name, provided that the Registrant, alone or in concert with one or more additional persons has engaged in a pattern of registering domain names in order to prevent persons who have Rights in Marks from registering the Marks as domain names; the Registrant registered the domain name or acquired the Registration primarily for the purpose of disrupting the business of the Complainant, or the Complainant's licensor or licensee of the Mark, who is a competitor of the Registrant; or the Registrant has intentionally attempted to attract, for commercial gain, Internet users to the Registrant's 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 the Registrant's website or location or of a product or service on the Registrant's website or location.

To determine bad faith, the Panel must base its conclusions on the evidence provided, the assertions and the balance of probability.

From the case file it appears that, on the balance of probability, the Registrant registered the Domain Name primarily for the purpose of selling the Registration to the Complainant for a valuable consideration in excess of the Registrant's actual costs in registering the domain name.

In addition, the Registrant is not using the Domain Name in connection with an active website. Panels have found that the non-use of a domain name (including a blank or "coming soon" page) do not prevent a finding of bad faith under the doctrine of passive holding.

Having reviewed the available records, the Panel notes the distinctiveness or reputation of the Complainant's trademark, the composition of the disputed Domain Name, the Registrant's attempt to sell the Domain Name to the Complainant for an amount that far exceeds the costs of registration, and the Registrant's failure to respond to the Complainant's cease and desist letter, and finds that in the circumstances of this case the passive holding of the disputed Domain Name does not prevent a finding of bad faith under the Policy.

Indeed, previous panels under the CDRP have found that the passive holding of a domain name can be evidence of bad faith. See, e.g., *GOJO Industries, Inc. v. Water by Wave Inc.* (" *The Panel acknowledges the decisions cited in the Complaint, including *The Toronto-Dominion Bank v. David Crowe (CIRA Decision no. 00404)* that suggest that a registrant's passive holding of a domain is evidence of bad faith registration*)).

Further inference of bad faith registration and use of the disputed Domain Name is given by the facts that: the Registrant did not respond to the Complainant's cease and desist letter; the Registrant did not file a formal response to the Complaint in the present proceeding and, moreover, in its informal response, failed to put forth a credible explanation for his registration; the Registrant is passively holding the disputed Domain Name; and the Registrant reproduced in its entirety the Complainant's very distinctive trademark in the disputed Domain Name with no plausible explanation for doing so.

The only reasonable inference to be drawn from the registration of a domain name that incorporates the whole of the Complainant's known, used and publicized trademark, in the absence of a credible explanation from the Registrant, is that it was done primarily for the purpose of selling the registration to the Complainant, or to a competitor of the Complainant for a valuable consideration in excess of the Registrant's actual costs in registering the domain name. These facts are sufficient to demonstrate to the Panel the Registrant's bad faith in registering the Disputed Domain Name.

Based on the foregoing, the Panel finds that the Complainant has established that the Domain Name was registered in bad faith.

5.3.3 Whether there is Some Evidence that the Registrant has No Legitimate Interest in the Domain Name

The Registrant has no rights in the LEQEMBI trademark or any similar mark, nor has the Registrant registered or used the Domain Name in good faith in association with any wares, services or business. The Domain Name is not clearly descriptive and apparently is not a generic name in any language, nor is it the Registrant's legal name or any name, surname or other reference by which the Registrant was commonly identified, nor a geographical name. The Registrant's website does not demonstrate any genuine business. It appears to not sell anything, provide any information, or even promote any particular goods or services.

Although the Registrant offers some explanations regarding the choice of the disputed Domain Name, the more plausible explanation—on the balance of probabilities—is that the Registrant was aware of the Complainant.

In fact, the Registrant, in its informal response, said he purchased the Domain Name *“for a quirky side project where people submit random combinations of attires and shoes to be rated by others. It’s a play on the spelling of the word kembi: le kembi as le qembi.”* However, the Registrant did not provide any evidence or documents related to his project, nor did he offer an explanation for his choice to select the name “leqembi” – which is identical to the Complainant’s trademark - instead of any other name or sentence that would convey the Registrant’s intended purpose.

The Registrant’s explanation lacks evidentiary support and credibility. As very well expressed by the panel in *Automotive Finance Corporation v. Paolo Fasciani / Quality Equipment Canada case 24626-CDRP*, *“It takes more than coming up with a possible future usage for the Domain Name as the Registrant has done after being pressed, to adequately explain the Registrant’s registration of a Domain Name in the first place, especially one that is fairly distinctiveomissis”*

In addition, the Registrant did not deny direct knowledge of the Complainant’s trademark.

It is therefore reasonable to infer that the Registrant became aware of the Complainant and its trademark, yet nevertheless proceeded to register the Domain Name, likely with the intention of capitalizing on the Complainant’s goodwill. The Panel, on the balance of probability, finds that the Complainant has provided sufficient evidence to establish that the Registrant has no legitimate interest in the Domain Name and that the Registrant has failed to demonstrate that any of the circumstances set out in paragraph 3.4 of the Policy exist in this case.

6 DECISION and ORDER

For the above reasons, the Panel finds that the Complainant has satisfied the onus placed upon it by paragraph 4.1 of the Policy and is entitled to the remedy sought by it, in accordance with Paragraph 4 of the CDRP, Paragraph 12 of the Resolution Rules, the Panel orders that the Disputed Domain Name, namely <leqembi.ca>, be transferred to the Complainant.

Made as of October 26, 2025

SIGNATURE OF PANEL

