Decision for dispute CAC-UDRP-107287

Case number	CAC-UDRP-107287
Time of filing	2025-02-05 10:03:10
Domain names	boehringe-ingelheim.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BOEHRINGER INGELHEIM PHARMA GMBH & CO.KG

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Pauline Zitouni

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 (the "Domain Name").

IDENTIFICATION OF RIGHTS

The Complainant is the owner of numerous registered trade marks that comprise or incorporate the words “BOEHRINGER INGELHEIM”. These include International trade mark registration n°568844, for “BOEHRINGER INGELHEIM” as a word mark filed on 22 March 1991 in classes 01, 02, 03, 04, 05, 09, 10, 16, 30, 31, and which has proceeded to registration in at least one form or another in excess of 50 territories.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT

The Complainant is a German family-owned pharmaceutical group of companies with roots going back to 1885, when it was founded by Albert Boehringer (1861-1939) in Ingelheim am Rhein.

Ever since, BOEHRINGER INGELHEIM has become a global research-driven pharmaceutical enterprise and has around 53,500 employees. It is divided into two business areas: Human Pharma and Animal Health. In 2023, BOEHRINGER INGELHEIM achieved net sales of 25.6 billion euros.

The Complainant owns multiple domain names consisting of the wording “BOEHRINGER INGELHEIM”, such as <boehringer-ingelheim.com> registered since 1 September 1995. The <boehringer-ingelheim.com> domain name is used for a website that promotes the Complainant’s business.

The Domain Name was registered on 31 January 2025. It redirects users to what the Complainant describes as “a wedding template website”.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the Domain Name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the 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 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 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

The Complainant has demonstrated registered trade mark rights in respect of the name “BOEHRINGER INGELHEIM” and the Domain Name can only be sensibly read as that term, with the letter “r” omitted, combined with the ".com" gTLD. Accordingly, the Complainant’s trade mark is clearly recognisable in the Domain Name. This is sufficient for a finding of confusing similarity under the Policy (see sections 1.7 and 1.9 of the WIPO Overview 3.0). The Complainant has, therefore, satisfied the requirements of paragraph 4(a)(i) of the Policy.

The Panel also accepts that the Domain Name, deliberately and inherently impersonates the Complainant and its trade marks. Although Ingelheim is a place name, the trade mark “Boehringer Ingelheim" is one with considerable reputation and has no obvious use or meaning that is unconnected with the Complainant. The term “Boehringe Ingelheim” used in the Domain Name also has no obvious meaning other than as a misspelling of the Complainant’s mark with the letter “r” missing. Further, although the Domain Name has been used for a WordPress website, which displays wedding-related photographs, it also uses meaningless filler text and, in any event, there is no obvious legitimate association of the text “Boehringe Ingelheim” used in the Domain Name, with the content of that website. No doubt anyone reaching that website would be unlikely to think that the website is operated by the Complainant, but the Domain Name still of itself inherently impersonates the Complainant’s marks.

Why the Respondent has engaged in this act of typosquatting and thereby seeks to impersonate the Complainant is not clear. However, there is no right or legitimate interest in such activity and this also provides positive evidence that no rights or legitimate interests exist (see for example sections 2.5.1 and 2.6.2 of the WIPO Overview 3.0). Further, registering and holding such a Domain Name for such a purpose involves registration and use of the Domain Name in bad faith. (see for example sections 3.1.1, 3.1.4 and 3.2.1 of the WIPO Overview 3.0).

The Complainant has, therefore, satisfied the requirements of paragraphs 4(a)(ii) and (iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **boehringe-ingelheim.com**: Transferred

PANELLISTS

Name	**Matthew Harris**

DATE OF PANEL DECISION 2025-03-03

Publish the Decision