Decision for dispute CAC-UDRP-107458

Case number	CAC-UDRP-107458
Time of filing	2025-04-01 15:25:03
Domain names	jardiance-coupon.cfd

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BOEHRINGER INGELHEIM INTERNATIONAL GMBH

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Clark Smith

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.

IDENTIFICATION OF RIGHTS

Complainant owns trademark registration for the word “JARDIANCE” in several countries, including the international registration n° 981336 dated September 3, 2008. JARDIANCE (Empagliflozin) is a prescription medicine manufactured by Complainant, used along with diet and exercise to lower blood sugar in adults with type 2 diabetes, and also to reduce the risk of cardiovascular death in adults with type 2 diabetes who have known cardiovascular disease.

FACTUAL BACKGROUND

The disputed domain name <jardiance-coupon.cfd> was registered on March 4, 2025 and resolves to a parking page with commercial links. Also, MX servers are configured.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed 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 disputed 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). The addition of the term “COUPON” is not sufficient to escape the finding that the domain name is confusingly similar to the internationally registered trademark JARDIANCE. It does not change the overall impression of the designation as being connected to the Complainant. Consequently, the disputed domain name is confusingly similar to Complainant’s trademark JARDIANCE.

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 disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy). The Respondent is not identified in the RDRS database in any connection with the disputed domain name. Neither license nor authorization has been granted by the Complainant to the Respondent to make any use of the Complainant’s trademark JARDIANCE, or to apply for registration of the disputed domain name. Furthermore, the disputed domain name resolves to a parking page with commercial links, which is not a bona fide offering of goods or services or legitimate non-commercial or fair use. Respondent has not appeared to dispute any element of the Complaint, and thus the Complainant meets its burden of proof as to this element of the Policy.

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy). Complainant's trademark is an arbitrary name for a prescription drug. Complainant provides evidence that a Google search of the term “JARDIANCE COUPON” primarily displays results only in relation with the Complainant’s product. Without any counterargument from the Respondent, it appears clear to the Panel that the Respondent registered the disputed domain name with knowledge of the Complainant and its trademark, which is evidence of bad faith under the Policy. Furthermore, the disputed domain name resolves to a parking page with commercial links. The Complainant contends that the Respondent has attempted to attract Internet users for commercial gain to his own website, which is further evidence of bad faith under the Policy. Finally, the disputed domain name has been set up with MX records, which suggests that it may be used for fraudulent email purposes, and in the absence of any countervailing argument from the Respondent this is another indication of bad faith under the Policy. Therefore, the Panel finds the Complainant has also met this element 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

It appears clear to the Panel that the Respondent registered the disputed domain name with knowledge of the Complainant's trademark, in order to profit from the registration in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **jardiance-coupon.cfd**: Transferred

PANELLISTS

Name	**Mike Rodenbaugh**

DATE OF PANEL DECISION 2025-05-14

Publish the Decision