Decision for dispute CAC-UDRP-108164

Case number	CAC-UDRP-108164
Time of filing	2025-11-18 09:54:17
Domain names	pd-boehringer-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	wang lao

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

The Complainant, conducting business under the company / trade name Boehringer Ingelheim Pharma GmbH & Co.KG, owns numerous trademarks including the wording “BOEHRINGER INGELHEIM” (with or without hyphen), such as:

- International trademark (figurative) BOEHRINGER-INGELHEIM, Registration No. 221544, registered since 2 July 1959, in Classes 1, 2, 3, 4, 5, 6, 16, 17, 19, 29, 30, 32;
- International trademark (figurative) BOEHRINGER INGELHEIM, Registration No. 568844, registered since 22 March 1991 in Classes 1, 2, 3, 4, 5, 9, 10, 16, 30, 31.

Furthermore, the Complainant owns multiple domain names consisting in the wording “BOEHRINGER INGELHEIM” (with or without hyphen), such as <boehringer-ingelheim.com> registered since 1 September 1995 and used in relation to its main website.

The above-mentioned rights of the Complainant are hereinafter referred to as the BOEHRINGER INGELHEIM Trademark.

Through its use of the BOEHRINGER INGELHEIM Trademark in connection with pharmaceutical goods and services, the Complainant has established a degree of recognition for the BOEHRINGER INGELHEIM Trademark in the relevant industry worldwide.

FACTUAL BACKGROUND

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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, it has become a global research-driven pharmaceutical enterprise and it has today roughly 53,500 employees. The Complainant's two business areas are human pharmaceuticals and animal health. In 2023, the Complainant achieved net sales of 25.6 billion Euros.

The Respondent is an individual residing in Hong Kong.

The disputed domain name <pd-boehringer-ingelheim.com> was registered on 14 November 2025 and does not resolve to any active website. However, MX records have been set for the disputed domain name.

The facts asserted by the Complainant are not contested by the Respondent.

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).

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).

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).

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

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements to succeed in the administrative proceeding:

(i) the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights; and
(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
(iii) the disputed domain name has been registered and is being used by the Respondent in bad faith.

I. THE COMPLAINANT'S RIGHTS AND THE CONFUSING SIMILARITY OF THE DISPUTED DOMAIN NAME TO THE COMPLAINANT'S MARK

The Complainant has demonstrated rights in the BOEHRINGER INGELHEIM Trademark.

The disputed domain name incorporates the wording “BOEHRINGER INGELHEIM” in its entirety, preceded by the letters “pd” and

followed by the ".com" top-level domain ("TLD"). The BOEHRINGER INGELHEIM Trademark is therefore clearly recognizable within the disputed domain name.

Under the Policy, the test for identity or confusing similarity is a straightforward comparison between the disputed domain name and the relevant trademark. Where a domain name wholly incorporates the complainant's trademark—or where a dominant feature of the mark remains clearly recognizable—the domain name is generally considered confusingly similar. The mere addition of letters or terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) does not prevent a finding of confusing similarity under the first element. The applicable TLD is typically disregarded in this analysis, as it is a functional element required for domain name registration.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's BOEHRINGER INGELHEIM Trademark.

The Complainant has therefore satisfied the first element of paragraph 4(a) of the Policy.

II. THE RESPONDENT'S LACK OF RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

Pursuant to paragraph 4(a)(ii) of the Policy, the Complainant must establish that the Respondent has no rights or legitimate interests in respect of the disputed domain name. Once a prima facie case is established, the burden of production shifts to the Respondent to demonstrate rights or legitimate interests.

The Complainant asserts that it has no relationship whatsoever with the Respondent. The Respondent has never been authorised, expressly or impliedly, by the Complainant to use the BOEHRINGER INGELHEIM Trademark or to register or use the disputed domain name.

The Respondent has been identified by the Registrar as wang lao, residing in Hong Kong. There is no evidence that the Respondent, whether as an individual, business, or other organisation, has been commonly known by the disputed domain name or has acquired any rights in a trademark or trade name corresponding to it.

The disputed domain name, registered on 14 November 2025, incorporates the BOEHRINGER INGELHEIM Trademark in its entirety together with the non-distinctive letters "pd", and is thus confusingly similar to the Complainant's mark.

UDRP panels have consistently held that domain names identical or confusingly similar to a complainant's trademark carry a high risk of implied affiliation. The mere addition of descriptive, geographic, pejorative, or otherwise non-distinctive terms does not avoid a finding of confusing similarity or establish rights or legitimate interests. Such a composition does not normally constitute fair use.

Moreover, the Complainant has submitted evidence that the disputed domain name does not resolve to an active website; however, MX records have been configured. This indicates that the disputed domain name could potentially be used for phishing or other fraudulent e-mail activities.

The Panel finds no indication that, prior to notice of the dispute, the Respondent used or prepared to use the disputed domain name, or any corresponding name, in connection with a bona fide offering of goods or services. Nor is there any evidence that the Respondent is making legitimate non-commercial or fair use of the domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the BOEHRINGER INGELHEIM Trademark.

While the Complainant has established its prima facie case, the Respondent has not submitted a Response to the Complaint and, thus, has failed to invoke any of the circumstances, which could demonstrate any rights or legitimate interests in the disputed domain name.

Accordingly, the Panel concludes that the Complainant has met the second requirement under paragraph 4(a) of the Policy, and finds that the Respondent lacks rights or legitimate interests in the disputed domain name.

III. THE REGISTRATION AND THE USE OF THE DISPUTED DOMAIN NAME IN BAD FAITH

The Complainant has sufficiently demonstrated that it holds rights in the well-known BOEHRINGER INGELHEIM Trademark, which predate the registration of the disputed domain name and remain valid and enforceable.

The disputed domain name is confusingly similar to the BOEHRINGER INGELHEIM Trademark, as it incorporates the mark in its entirety. The addition of the letters "pd" and the ".com" TLD (being a mere technical requirement for domain name registration) does not prevent a finding of confusing similarity. UDRP panels have consistently found that the mere registration of a domain name identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity may, by itself, give rise to a presumption of bad faith.

Given the distinctiveness of the BOEHRINGER INGELHEIM Trademark and its prior use, it is implausible that the Respondent registered the disputed domain name by coincidence or without knowledge of the Complainant and its rights. Rather, it was clearly registered with full awareness of the BOEHRINGER INGELHEIM Trademark and an intent to exploit its reputation.

Moreover, the disputed domain name has not resolved to any active website since its registration. As recognized under the doctrine of passive holding (see section 3.3 of the WIPO Overview 3.0, and in particular Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003), the non-use of a domain name does not prevent a finding of bad faith where the circumstances indicate that any potential use would likely be abusive.

In this case, the Panel considered the following factors when applying the passive holding doctrine:

- the degree of distinctiveness and reputation of the BOEHRINGER INGELHEIM Trademark;
- the Respondent's failure to submit a Response or provide any evidence of actual or contemplated good faith use;
- the Respondent's concealing his identity or use of false contact details, in breach of the registration agreement;
- the implausibility of any good faith use to which the disputed domain name could be put.

Taking into account all the circumstances, the Panel concludes that it is impossible to conceive of any plausible actual or contemplated use of the disputed domain name that would not be illegitimate, such as trademark infringement, passing off, or violation of consumer protection laws.

Furthermore, the configuration of MX records for the disputed domain name suggests a risk of its use for fraudulent e-mail activities, reinforcing the finding of bad faith.

Accordingly, the Panel finds that the Respondent, by registering and using the disputed domain name, has intentionally attempted to attract, for commercial gain, Internet users to his online location by creating a likelihood of confusion with the BOEHRINGER INGELHEIM Trademark as to the source, sponsorship, affiliation, or endorsement of his website or other online location (paragraph 4(b)(iv) of the Policy).

The Complainant has therefore met its burden under paragraph 4(a)(iii) of the Policy to show that the disputed domain name has been registered and is being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **pd-boehringer-ingelheim.com**: Transferred

PANELLISTS

Name	**Ivett Paulovics**

DATE OF PANEL DECISION 2025-12-17

Publish the Decision