Decision for dispute CAC-UDRP-108270

Case number	CAC-UDRP-108270
Time of filing	2025-12-22 10:38:50
Domain names	medischsifrolnl.shop

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	Boehringer Ingelheim Pharma GmbH & Co KG

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Aureila Hmelicka

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other pending or concluded legal proceedings relating to the domain name <medischsifrolnl.shop> (the "disputed domain name").

IDENTIFICATION OF RIGHTS

The Complainant, Boehringer Ingelheim Pharma GmbH & Co KG, owns several trade mark registrations for SIFROL, including:

- International trade mark registration no. 530682, registered on 3 December 1988; and
- International trade mark registration no. 582814, registered on 25 January 1992.

(Each individually a "trade mark" and collectively the "Complainant's trade marks").

The Complainant also owns domain names incorporating the SIFROL trade mark, including <sifrol.com>, registered on 1 February 2000.

FACTUAL BACKGROUND

A. Complainant's Factual Allegations

The Complainant is a German family-owned pharmaceutical group founded in 1885 and operating globally in the fields of human

pharmaceuticals and animal health. As part of its activities, the Complainant markets an antiparkinsonian medicinal product under the SIFROL trade mark.

B. Respondent's Position

The Respondent did not submit a Response within the time prescribed under the UDRP Rules and has not otherwise participated in this proceeding.

C. Disputed Domain Name

The disputed domain name <medischsifrolnl.shop> was registered on 19 November 2025.

At the time of this Decision, the disputed domain name resolves to a landing page displaying a notice stating "Access denied". However, the Complainant has provided uncontested evidence that, prior to the commencement of this proceeding, the disputed domain name resolved to a website prominently referring to the Complainant's SIFROL pharmaceutical product and containing links to online stores offering pharmaceutical products, including competing goods.

PARTIES CONTENTIONS

A. Complainant

The Complainant submits that:

1. The disputed domain name is confusingly similar to its SIFROL trade mark, which is wholly incorporated within the domain name string, with the additional terms "medisch" and "nl" being insufficient to dispel confusion;

2. The Respondent has no rights or legitimate interests in the disputed domain name and is not authorised or licensed to use the SIFROL trade mark; and

3. The disputed domain name was registered and used in bad faith in order to divert Internet users seeking the Complainant's pharmaceutical product to competing offerings for commercial gain.

The Complainant requests that the disputed domain name be transferred to it.

B. Respondent

No Response was filed. The Panel therefore proceeds on the basis of the uncontested evidence and may draw such inferences as it considers appropriate pursuant to Rule 14(b) of the UDRP Rules.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the UDRP Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown that 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 UDRP Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the UDRP Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under the UDRP Policy, the UDRP Rules, and the CAC Supplemental Rules have been met. The Respondent's failure to submit a Response does not relieve the Complainant of its burden of proof under paragraph 4(a) of the UDRP Policy, but permits the Panel to draw appropriate inferences from the Respondent's default. The dispute is properly before the Panel.

PRINCIPAL REASONS FOR THE DECISION

A. Legal Framework

Under paragraph 4(a) of the UDRP Policy, the Complainant must establish, on the balance of probabilities, that:

(i) the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;

(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 in bad faith.

These requirements are cumulative, and the failure to establish any of them is fatal to the Complaint.

B. Identical or Confusingly Similar

The Panel finds that the disputed domain name incorporates the Complainant's SIFROL trade mark in its entirety. As noted by the Complainant, the additional terms "medisch" (meaning "medical" in Dutch) and "nl" do not prevent a finding of confusing similarity and may reinforce an impression of association with the Complainant's pharmaceutical products. The generic Top-Level Domain <.shop> is irrelevant for the purposes of this assessment.

The Panel therefore finds that the disputed domain name is confusingly similar to a trade mark in which the Complainant has rights. Paragraph 4(a)(i) of the UDRP Policy is satisfied.

C. Rights or Legitimate Interests

The Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not been authorised by the Complainant to use the SIFROL trade mark, is not commonly known by the disputed domain name, and has not demonstrated any legitimate non-commercial use.

In the absence of any Response, the Respondent has failed to rebut the Complainant's prima facie case. The evidence submitted by the Complainant, which has not been challenged, shows that the disputed domain name was used to refer to the Complainant's pharmaceutical product and to redirect Internet users to online stores offering pharmaceutical products, including competing goods. Such use does not constitute a bona fide offering of goods or services within the meaning of paragraph 4(c)(i) of the UDRP Policy.

Accordingly, the Panel finds that paragraph 4(a)(ii) of the UDRP Policy is satisfied.

D. Registered and Used in Bad Faith

The Panel is satisfied that the Respondent registered the disputed domain name with knowledge of the Complainant's SIFROL trade mark, which is distinctive and has been registered and used for many years in connection with pharmaceutical products.

By using the disputed domain name to attract Internet users seeking information about the Complainant's SIFROL product and redirecting them to competing pharmaceutical products, the Respondent has intentionally attempted to attract users for commercial gain by creating a likelihood of confusion with the Complainant's trade mark, within the meaning of paragraph 4(b)(iv) of the UDRP Policy.

The fact that the disputed domain name no longer resolves to an active commercial website at the time of this Decision does not prevent a finding of bad faith, particularly where the evidence shows prior use of the domain name to promote or offer for sale pharmaceutical products associated with the Complainant's trade mark.

The Panel therefore finds that paragraph 4(a)(iii) of the UDRP Policy is satisfied.

E. Decision

For the foregoing reasons, in accordance with paragraph 4(i) of the UDRP Policy and Rule 15 of the UDRP Rules, the Panel orders that the disputed domain name <medischsifrolnl.shop> be transferred to the Complainant, Boehringer Ingelheim Pharma GmbH & Co KG.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **medischsifrolnl.shop**: Transferred

PANELLISTS

Name	Gustavo Moser

DATE OF PANEL DECISION 2026-01-16

Publish the Decision