Decision for dispute CAC-UDRP-108568

Case number	CAC-UDRP-108568
Time of filing	2026-04-10 15:14:43
Domain names	trajenta.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	BOEHRINGER INGELHEIM INTERNATIONAL GMBH

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	ShaoHuai Huang

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 is the owner of registered trademark for the TRAJENTA trademark. In particular, the Complainant is the owner of International trademark registration No. 935517 for TRAJENTA, registered on August 3, 2007.

The Complainant also owns domain names that include its trademark TRAJENTA, such as the domain name <trajenta.co>, registered on October 19, 2016.

FACTUAL BACKGROUND

The Complainant is family-owned pharmaceutical group of companies with roots going back to 1885, when it was founded by Albert Boeringer in Ingelheim am Rhein. The Complainant employees over 54,000 employees and in 2025 its net sales amounted to 27.8 billion euros.

The disputed domain name was registered on April 3, 2026 and at the time of filing of the Complaint, it resolved to a parking page displaying information regarding a closed drop-catch auction. At the time of this Decision, the disputed domain name redirects to a “for sale” page inviting interested buyers to submit offers for its purchase.

The Panel undertook limited factual research into matters of public record in accordance with general powers granted to the Panel

under paragraphs 10 and 12 of the Rules (WIPO Overview 3.1, section 4.8). The Panel notes that the disputed domain name had been registered by the Complainant since February 26, 2007, before apparently not being renewed in 2026. The Respondent therefore appears to have acquired the disputed domain name through a drop-catching service for expired domain names.

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. In particular, the Complainant argues that the disputed domain name is identical with its TRAJENTA trademark and that Top-Level-Domain suffix ".com" does not prevent confusion between the disputed domain name and the Complainant's trademark.

Regarding the second UDRP element, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name and that it is not related to the Complainant in any way. Neither a license or authorization was granted to the Respondent to make any use of the Complainant's TRAJENTA trademark or to apply for registration of the disputed domain name. The Respondent is also not commonly known by the disputed domain name. The Complainant further contends that the Respondent did not make any use of the disputed domain name and has no demonstrable plan to use it. According to the Complainant, this demonstrates a lack of rights or legitimate interests in respect of the disputed domain name.

With reference to the circumstances evidencing bad faith, the Complainant states that the Respondent was most likely aware of the Complainant's TRAJENTA trademark when registering the disputed domain name. The Complainant's trademark consists of a fanciful term which is widely used by the Complainant, especially in China, where the Respondent is allegedly located. The internet search for the term "trajenta" displays results only in relation to the Complainant's products. Furthermore, the disputed domain name resolves to a parking page displaying information about the closed auction and therefore, the Complainant argues that it is not possible to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate, such as passing off, infringement of consumer protection legislation, or infringement of the Complainant’s trademark rights.

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

According to paragraph 15(a) of the Rules: "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy stipulates that the complainant must prove each of the following:

- that the disputed domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in

which the complainant has rights;
- that the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- that the disputed domain name has been registered and is being used in bad faith.

I. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name, as stipulated in section 1.7 of WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1").

The Complainant has shown rights in respect of the TRAJENTA trademark for the purposes of the Policy (WIPO Overview 3.1, section 1.2.1).

The entirety of the Complainant's trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical with the Complainant's trademark for the purposes of the Policy (WIPO Overview 3.0, section 1.7).

In addition, it is well established that ".com", as a generic Top-Level Domain, can be disregarded in the assessment of the confusing similarity between the disputed domain name and the Complainant's trademark (WIPO Overview 3.1, section 1.11.1).

The Panel, therefore, finds that the first element of the Policy has been established.

II. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in the disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.

Having reviewed the available record, the Panel finds 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 rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

In particular, the Panel notes that there appears to be no relationship between the Respondent and the Complainant and that the Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant's TRAJENTA trademark. There appears to be no element from which the Panel could infer the Respondent's rights and legitimate interests in the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

The Panel also notes that the disputed domain name was acquired through a process commonly referred to as "drop-catching", whereby a domain name that has not been renewed by its previous registrant is automatically re-registered by a third party using technical means to monitor and secure lapsed names as soon as they become available. Such practices, like other forms of automated domain name acquisition are not inherently illegitimate under the Policy (see, in particular, Ideatec S.A. v. Mira Holdings, WIPO Case No, D2025-2648 and Datacap Systems, Inc. v. Domain Admin, XYZ Invest LLC, WIPO Case No. D2023-0858). However, in the present case, the disputed domain name is identical with the Complainant's TRAJENTA trademark, which appears to consist of a fanciful term that is inherently distinctive and exclusively associated with the Complainant. In these circumstances, the Panel finds it difficult to conceive of any plausible legitimate interest the Respondent may have in respect of the disputed domain name.

The Panel also takes into account the fact that the disputed domain name is offered for sale by the Respondent. Although the offer for sale is not an illegitimate activity per se, the Panel concludes that in the present case such an offer cannot be considered as a bona fide offering of goods and services, nor as a legitimate activity, having in mind all the circumstances of this case.

Since the disputed domain name is identical with the Complainant's trademark, it also carries a high risk of implied affiliation (WIPO Overview 3.1, section 2.5.1).

Having in mind the above, the Panel finds the second element of the Policy has been established.

III. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a

domain name is in bad faith (see WIPO Overview 3.1, section 3.2.1).

In the present case, the Panel considers that the Respondent must have been aware of the Complainant and its TRAJENTA trademark, particularly having regard to the distinctiveness of that trademark. As noted above, the TRAJENTA trademark consists of an invented term that is inherently distinctive and exclusively associated with the Complainant. Moreover, the Complainant's trademark had been registered and used long before the Respondent registered the disputed domain name. In these circumstances, it is highly unlikely that the Respondent registered the disputed domain name, which incorporates the Complainant's trademark in its entirety, without the Complainant and its trademark in mind.

The Panel also notes that the disputed domain name was registered through a "drop-catching" process, after the expiry of the Complainant's registration of the disputed domain name. Previous panels have held that very use of such a service may indicate that a respondent knew that it was acquiring a domain name that someone else had previously owned, and that such acquisition was motivated by the domain name's value as a trademark (see for example Tata Sons Private Ltd. and Tata Teleservice Limited v. Private Registration, NameBrightPrivacy.com / PebbleBridge Tech, PebbleBridge Technologies, WIPO Case No. D2022-1038). Having regard to the circumstances of the present case, the Panel finds that it is more likely than not that the Respondent registered the disputed domain name because of its value as the Complainant's trademark.

Due to the above, the Panel finds that the disputed domain name has been registered in bad faith.

The disputed domain name currently redirects to "for sale" page, meaning that the disputed domain has not been actively used by the Respondent. Nevertheless, the Panel holds that the particular circumstances of this case would lead to the establishment of bad faith on the Respondent's side under the doctrine of passive holding. Previous panels have already considered that passive holding of a disputed domain name can satisfy the requirements of paragraph 4(a)(iii) of the Policy, and that in such cases the panel must give close attention to all the circumstances of Respondents' behavior (Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003). The principles established in Telstra Corporation Limited v. Nuclear Marshmallows, have been widely adopted by UDRP panels and have found their place in WIPO Overview 3.1. In accordance with Section 3.3. of WIPO Overview 3.1, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, (iii) the respondent's taking active steps to conceal its identity, and (iv) the use of false or inaccurate contact details (noted to be in breach of the respondent's registration agreement. Taking the above factors into consideration, panels assess the overall plausibility of any (claimed) good faith use to which the domain name may be put in light of the composition of the domain name in relation to the relevant mark, such that, the more arbitrary or distinctive a mark the less plausible a claimed non-infringing good faith use is likely to be, and vice versa. It should be emphasized that it is not required that all the above-listed factors be present in order to establish bad faith use of the disputed domain name (see, for example, Compagnie Générale des Etablissements Michelin v. K Nandalal, BlueHost, WIPO Case No. D2021-3990).

As indicated above, the Complainant's TRAJENTA trademark is highly distinctive as it consists of a fanciful term that appears to be exclusively used by the Complainant. Furthermore, the Respondent has failed to provide its response and thereby to provide any explanation for the choice of the disputed domain name and its planned use. In the Panel's opinion, the distinctiveness of the Complainant's TRAJENTA trademark is such that it is rather difficult to imagine any good faith use that the disputed domain name could be put into. For that reason, the Panel finds that the disputed domain name has been used in bad faith in accordance with the doctrine of passive holding.

In addition, the Panel finds that the Respondent registered the disputed domain name primarily for the purpose of selling it either to the Complainant or to a third party for valuable consideration in excess of the Respondent's documented out-of-pocket costs directly related to the disputed domain name, within the meaning of paragraph 4(b)(i) of the Policy. Having in mind the fact that the disputed domain name is being offered for sale, the Panel considers that such an offer is directly connected to the value derived from the Complainant's trademark and demonstrates the Respondent's intention to unfairly capitalize on the Complainant's trademark rights.

The Panel finds that the disputed domain name has been both registered and is being used in bad faith, and consequently that the Complainant has established the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **trajenta.com**: Transferred

PANELLISTS

Name	**Stefan Bojovic**

DATE OF PANEL DECISION 2026-05-21

Publish the Decision