

Decision for dispute CAC-UDRP-108855

Case number	CAC-UDRP-108855
Time of filing	2026-07-21 15:12:06
Domain names	trajenta.store

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)
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Complainant

Organization	Boehringer Ingelheim Pharma GmbH & Co KG
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Complainant representative

Organization	NAMESHIELD S.A.S.
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Respondent

Name	Gina Yu
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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 is the owner of the following registration for the trademark TRAJENTA:

International Registration no. 935517 TRAJENTA, registered since August 3, 2007 and designating many countries in the world.

A printout of the WIPO database is included to substantiate the registration. On this printout it appears that the trademark is registered in the name of Boehringer Ingelheim International GmbH. After a procedural order, Complainant informs that this is a subsidiary of Complainant.

FACTUAL BACKGROUND

Complainant, Boehringer Ingelheim Pharma GmbH & Co KG with domicile Ingelheim in Germany, is a 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 today 54,300 employees. It is divided into two business areas: Human Pharma and Animal Health. In 2025, net sales of the BOEHRINGER INGELHEIM group amounted to about 27.8 billion euros. This is substantiated by a company profile document of Complainant.

Complainant developed a medicine for the treatment of type 2 diabetes mellitus to improve glycaemic control in adults under the trademark TRAJENTA. A copy of the webpage with information about the product is attached to the Complaint.

Further, Complainant owns several domain names including the trademark TRAJENTA, such as <trajenta.co> registered since October 19, 2016. A printout is included in the Complaint.

Respondent is Gina Yu with domicile Huaian Jiansu in China.

The disputed domain name <trajenta.store> was registered on July 19, 2026, and resolves to a parking page.

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

According to the Policy paragraph 4(a)(i) it needs first to be established that:

(i) The domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;

Complainant contends that the disputed domain name <trajenta.store> is identical to its TRAJENTA trademark.

Furthermore, Complainant contends that the addition of the New gTLD suffix “.STORE” does not change the overall impression of the designation as being connected to the trademark. It does not prevent the likelihood of confusion between the disputed domain name and Complainant, its trademark and its domain names associated. This is substantiated by a citation of WIPO Case No. D2006-0451, F. Hoffmann-La Roche AG v. Macalve e-dominios S.A.:

It is also well established that the specific top level of a domain name such as “.com”, “.org” or “.net” does not affect the domain name for the purpose of determining whether it is identical or confusingly similar.

Consequently, the disputed domain name <trajenta.store> is identical to Complainant’s trademark, according to Complainant.

The Panel findings

The trademark and disputed domain name are similar, as the first element TRAJENTA is present in the domain name as well and the TLD suffix .store, as concluded in afore mentioned UDRP case, can be set aside as being descriptive for the type of domain name.

Further, the International trademark registration for TRAJENTA belonging to Complainant predates the registration of the disputed domain name and thus the trademark rights prevail.

The Panel concludes that the disputed domain name is confusingly similar to the trademark in which Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

According to the Policy paragraph 4(a)(ii), it needs to be further established that:

(ii) Respondent has no rights or legitimate interests in respect of the domain name.

Paragraph 4 (c) of the Policy provides circumstances that could demonstrate that Respondent has no rights to and legitimate interests in the Domain Name. These circumstances are not exclusive. Circumstances that provide rights or legitimate interests to the domain name are:

(i) before any notice to the Respondent of the dispute, the use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or

(ii) Respondent (as an individual, business, or other organization) has been commonly known by the domain name, even if though it has acquired no trademark or service mark rights; or

(iii) Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Further, according to the WIPO Case No. D2003-0455, Croatia Airlines d. d. v. Modern Empire Internet Ltd., Complainant is required to make out a prima facie case that Respondent lacks rights or legitimate interests. Once such prima facie case is made, Respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If Respondent fails to do so, Complainant is deemed to have satisfied paragraph 4(a) (ii) of the Policy.

In this respect Complainant contends that:

- Respondent is not identified in the Whois database as the disputed domain name;
- Respondent is not related in any way to Complainant;
- Complainant does not carry out any activity for, nor has any business with Respondent;
- Neither license nor authorization has been granted to Respondent to make any use of Complainant's trademark or apply for registration of the disputed domain name by Complainant.

Furthermore, the disputed domain name resolves to a parking page, and, as Complainant states, past panels have found it is not a bona fide offering of goods or services or legitimate non-commercial or fair use. In this respect Complainant cites:

Forum Case No. FA 1773444, Ashley Furniture Industries, Inc. v. Joannet Macket / JM Consultants:

The Panel finds that Respondent's lack of content at the disputed domain shows the lack of a bona fide offering of goods or services or a legitimate noncommercial or fair use per Policy paragraph 4(c)(i) and (iii).

Thus, according to Complainant, Respondent has no legitimate interest in respect of the disputed domain name <trajenta.store>.

The Panel findings

Complainant has stated indications of lack of rights or legitimate interests. Respondent has not come forward with any evidence demonstrating the opposite. For these above mentioned reasons, the Panel finds that Complainant has made a prima facie showing under this element.

Complainant has, to the satisfaction of the Panel, shown 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

According to the Policy paragraph 4(a)(iii) it finally needs to be established that:

(iii) the domain name has been registered and is being used in bad faith.

Complainant considers it most likely that Respondent was aware of Complainant and Complainant's TRAJENTA mark when registering the disputed domain name. Complainant's mark consists of a fanciful or "coined" term, which is widely used by Complainant, especially in China. In this respect Complainant cites:

WIPO Case No. DCO2020-0001, Boehringer Ingelheim International GMBH v. JH Kang

Complainant's rights in its TRAJENTA mark predate registration of the disputed domain name by more than a decade. Given the similarity between the disputed domain name and Complainant's mark, it seems most probable that Respondent was aware of Complainant and its mark and registered the disputed domain name with them in mind.

Besides, a Google search of the term "TRAJENTA" displays results only in relation to the Complainant's products. This Google search is enclosed with the Complaint.

Consequently, given the distinctiveness of Complainant's trademarks and its reputation, it is reasonable to infer that Respondent has registered the disputed domain name with full knowledge of Complainant's trademark, as Complainant states.

Finally, with respect to the use of the disputed domain name, Complainant states that it resolves into a parking page and further alleges that it is not possible to conceive of any plausible actual or contemplated active use of the domain name by Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of Complainant's rights under trademark law.

Complainant concludes that the disputed domain name <trajenta.store> was registered and is being used in bad faith.

Panel findings on bad faith registration

The Panel regrets that Complainant did not include any evidence of the reputation of its trademark TRAJENTA in China, country of origin of Respondent.

Nevertheless, the Panel agrees with Complainant that it is hard to conceive that Respondent was not aware of Complainant's trademark TRAJENTA, especially now that it is a fanciful or "coined" term, that is registered on a global scale for almost 20 years and apparently used, as Complainant's website shows.

Thus, the Panel agrees that the disputed domain name is registered in bad faith.

Panel findings on bad faith use

With respect to determining if the domain name is also used in bad faith, the Panel has to weigh whether the passive holding of the disputed domain name, which is the case here as the disputed domain name resolves into a parking page, can be identified as use in bad faith.

In previous UDRP decisions circumstances are described that would establish that the use of the disputed domain name, namely the passive holding of it, is use in bad faith. Those circumstances are:

- (i) Complainant's trademark has a strong reputation and is widely known;
- (ii) Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the domain name,
- (iii) Respondent has taken active steps to conceal its true identity, by operating under a name that is not a registered business name,
- (iv) Respondent has actively provided, and failed to correct, false contact details, in breach of its registration agreement, and
- (v) taking into account all of the above, it is not possible to conceive of any plausible actual or contemplated active use of the domain name by Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of the Complainant's rights under trademark law.

Complainant has alleged that circumstance (v) is at stake here. Moreover, in this Complaint it has alleged that its trademark has a reputation. Also, it is demonstrated that Respondent has concealed its identity. Moreover, Respondent did not provide any Defense.

As previously written, the Panel regrets to note that the wide or at least Chinese reputation of Complainant's trademark is not substantiated by Complainant. However, it can be concluded that TRAJENTA is a distinctive sign as it is a fanciful or "coined" term. Further, the trademark has been globally registered for a long time and is in use.

It follows that it is hard to conceive that Respondent was not aware of TRAJENTA when creating the disputed domain name. Also, the intended use is clear: the disputed domain name refers to storing or being a warehouse for (because of the TLD.store) a product (like TRAJENTA medicines). The connection between the two elements of the disputed domain name is a logical connection to attract traffic to a website by creating a likelihood of confusion with Complainant's trademark and consequently selling goods. Any good faith reseller behavior cannot be expected as the TRAJENTA medicine is a prescription medicine and thus not freely available.

Respondent's failure to respond enhances this conclusion. Therefore, the Panel finds that the disputed domain name must have been used in bad faith through the passive holding of it.

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.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **trajenta.store**: Transferred

PANELLISTS

Name	Marieke Westgeest
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DATE OF PANEL DECISION	2026-08-19
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Publish the Decision	
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