Decision for dispute CAC-UDRP-108962

Case number	CAC-UDRP-108962
Time of filing	2026-08-27 12:27:14
Domain names	boehringeringelheimapp.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	boehringeringelheimapp.com Eddie Longhany Eddie

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 registered proprietor of several trademarks for "Boehringer Ingelheim", including International Trademark Registration No. 568844 "Boehringer Ingelheim", registered since March 22, 1991 for various goods (hereinafter referred to as the "Trademark").

FACTUAL BACKGROUND

The Complainant is the registered proprietor of several trademarks for "Boehringer Ingelheim", including International Trademark Registration No. 568844 "Boehringer Ingelheim", registered since 22 March 1991 for various goods (hereinafter referred to as the "Trademark").

The Complainant is a German family-owned pharmaceutical group of companies with roots going back to 1885. Today, the Complainant is a global research-driven pharmaceutical enterprise with around 54,500 employees. In 2024, it achieved net sales of €26,796 million. The Complainant owns multiple domain names consisting of the wording "BOEHRINGER INGELHEIM", such as "boehringer-ingelheim.com", registered since September 1, 1995.

The disputed domain name was registered on August 25, 2026 and points to a placeholder website provided by the Respondent's hosting provider.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant alleges that the disputed domain name is confusingly similar to the Trademark because the addition of the generic term "app" is not sufficient to avoid a finding of confusing similarity.

The Complainant further submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. In particular, the Complainant asserts that the Respondent is not identified in the WHOIS database by the disputed domain name and is therefore not commonly known by it. The Complainant further states that the Respondent is not related in any way to the Complainant, does not carry out any activity for it, and has no business relationship with it. Neither licence nor authorisation has been granted by the Complainant to the Respondent to make any use of the Trademark or to apply for registration of the disputed domain name. Furthermore, the Complainant notes that the disputed domain name resolves to a parking page, and the Respondent has therefore not made any active use of the disputed domain name since its registration.

Finally, the Complainant alleges that the disputed domain name was registered and is being used in bad faith. Concerning bad faith registration, the Complainant alleges that it is reasonable to infer that the Respondent registered the disputed domain name with full knowledge of the Complainant's trademark, given the distinctiveness of the Trademark and its reputation. As to bad faith use, the Complainant relies on the passive holding doctrine and contends that the Respondent has not demonstrated any activity with respect to the disputed domain name. The Complainant asserts that it is impossible to conceive of any plausible actual or contemplated active use of the domain name by the Respondent that would not be unlawful—such as passing off, infringement of consumer protection laws, or infringement of the Complainant’s trademark rights.

RESPONDENT:

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

Paragraph 4(a) of the Policy requires the Complainant to establish each of the following three elements:

(i) the disputed domain name is identical or confusingly similar to the Complainant's trademark; 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 in bad faith.

1. The Panel accepts that the disputed domain name is confusingly similar to the Trademark because the Trademark is recognizable in the disputed domain name. It is well established that a domain name that fully incorporates a trademark may be

confusingly similar to such a trademark within the meaning of the Policy despite the addition of generic terms such as "app".

2. The Complainant has substantiated that the Respondent has no rights or legitimate interests in the disputed domain name. The Panel finds that the Complainant has fulfilled its obligations under paragraph 4(a)(ii) of the Policy. The Respondent has not denied these allegations and has therefore failed to establish any rights or legitimate interests in the disputed domain name.

Based on the evidence on file, the Panel cannot find any rights or legitimate interests of the Respondent either. In particular, the disputed domain name points to a placeholder website provided by the Respondent's hosting provider and the Respondent has not provided any evidence of use or demonstrable preparations for use of the disputed domain name. Accordingly, the Panel finds that the Complainant has proven that the Respondent has no rights or legitimate interests in respect of the disputed domain name under paragraphs 4(a)(ii) and 4(c) of the Policy.

3. The Panel is satisfied that the Respondent registered the disputed domain name with full knowledge of the Complainant and its rights in the Trademark as the Trademark is highly distinctive and very well established.

Furthermore, the Panel accepts the Complainant's contentions that the disputed domain name has been used in bad faith under the principles of passive holding. It is consensus view that the lack of an active use of a domain name does not as such prevent a finding of bad faith under the Policy. In such cases, the panel must examine all the circumstances of the case to determine whether a respondent is acting in bad faith. Examples of circumstances that can indicate bad faith include a complainant having a well-known trademark, no response to the complaint, the respondent’s concealment of identity, and the impossibility of conceiving a good faith use of the domain name (cf. Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003; Jupiters Limited v. Aaron Hall, WIPO Case No. D2000-0574; Ladbroke Group Plc v. Sonoma International LDC, WIPO Case No. D2002-0131).

The Panel is convinced that the Trademark is highly distinctive and well established. Furthermore, the Respondent failed to submit a Response and therefore did not provide evidence of any actual or contemplated good faith use of the disputed domain name. In the view of the Panel, the facts of this case do not allow for any plausible actual or contemplated active use of the disputed domain name by the Respondent in good faith. The Panel is therefore satisfied that, even though the disputed domain name has not yet been actively used, the Respondent’s non-use of the disputed domain name amounts to use in bad faith under the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **boehringeringelheimapp.com**: Transferred

PANELLISTS

Name	**Peter Müller**

DATE OF PANEL DECISION 2026-09-27

Publish the Decision