Decision for dispute CAC-UDRP-109079

Case number	CAC-UDRP-109079
Time of filing	2026-10-13 18:42:02
Domain names	boehringerr-ingelheim.com

Case administrator

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

Complainant

Organization	Boehringer Ingelheim Pharma GmbH & Co.KG

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Smith Smith

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, Boehringer Ingelheim Pharma GmbH & Co. KG, relies on rights in the BOEHRINGER-INGELHEIM trademark, and in particular on the following registration, recorded in its name:

- International word trademark “BOEHRINGER-INGELHEIM”, No. 221544, registered on July 2, 1959 and duly renewed until July 2, 2029, in Classes 1, 2, 3, 4, 5, 6, 16, 17, 19, 29, 30 and 32, covering in particular medicines and pharmaceutical preparations in Class 5, and designating, among others, Austria, Benelux, France, Germany, Italy, Portugal, Spain and Switzerland.

The Amended Complaint also refers to International trademark “BOEHRINGER INGELHEIM” No. 568844, registered on March 22, 1991. However, annex only relates to International trademark No. 221544, and no evidence of the second registration has been filed. The Panel therefore relies on International trademark No. 221544, which is sufficient for the purposes of this proceeding.

The Complainant further relies on its longstanding use of the BOEHRINGER INGELHEIM company name and on its domain name <boehringer-ingelheim.com>, registered on September 1, 1995.

FACTUAL BACKGROUND

The Complainant is a German family-owned pharmaceutical group founded in 1885 by Albert Boehringer in Ingelheim am Rhein. It

operates in human pharmaceuticals and animal health. According to its company profile dated April 2025, it serves over 130 markets, employs approximately 54,500 people and reported EUR 26,796 million in net sales for 2024.

The disputed domain name <boehringerr-ingelheim.com> is registered with NameSilo, LLC. The amended Complaint states that it was registered on September 9, 2026. However, the Registrar verification of October 13, 2026 expressly confirms a creation date of October 9, 2026, which is consistent with the WHOIS extract dated October 13, 2026.

The disputed domain name resolves to a parking and MX records are configured, pointing to the mail servers mx1.titan.email and mx2.titan.email. No evidence of an e-mail actually having been sent from the disputed domain name has been submitted.

PARTIES CONTENTIONS

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

Identity or Confusing Similarity (paragraph 4(a)(i) of the Policy)

To satisfy the first element of the Policy, the Complainant must show that it has rights in a trademark and that the disputed domain name is identical or confusingly similar to that trademark. International trademark No. 221544 establishes the Complainant's rights in BOEHRINGER-INGELHEIM.

The disputed domain name reproduces the Complainant's BOEHRINGER-INGELHEIM trademark, including its hyphen, with the sole addition of a second letter "r" at the end of "boehringer", producing "boehringerr-ingelheim". This minor typographical variation is characteristic of typosquatting and does not prevent a finding of confusing similarity. The ".com" gTLD is a standard technical requirement and is disregarded for this comparison (WIPO Overview 3.1, section 1.11.1).

Accordingly, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights and that paragraph 4(a)(i) of the Policy is satisfied.

Absence of Rights or Legitimate Interests (paragraph 4(a)(ii) of the Policy)

The Complainant bears the overall burden of proof. Where a complainant makes out a prima facie case that a respondent lacks

rights or legitimate interests, the burden of production shifts to the respondent to come forward with evidence of such rights or legitimate interests. If the respondent fails to do so, the complainant is deemed to have satisfied the second element.

The Complainant has stated that it has no business relationship with the Respondent and has not authorized or licensed the Respondent to use the BOEHRINGER-INGELHEIM trademark. The Panel is in the opinion that the name “Smith Smith” bears no resemblance to the disputed domain name, and there is no evidence of the Respondent being commonly known by that name or having independently acquired corresponding trademark rights.

The composition of the disputed domain name cannot reasonably be explained by any descriptive meaning or other apparent legitimate purpose. Rather, it appears deliberately designed to capitalize on Internet users’ typographical errors, thereby creating a risk of confusion and implied affiliation with the Complainant.

Furthermore, the Respondent has failed to submit any response or evidence to rebut the Complainant’s prima facie case.

The Panel therefore finds that the Respondent lacks rights or legitimate interests in the disputed domain name and that paragraph 4(a)(ii) of the Policy is satisfied.

Bad Faith (paragraph 4(a)(iii) of the Policy)

Paragraph 4(a)(iii) requires the Complainant to establish both registration and use in bad faith.

The disputed domain name was registered on October 9, 2026, some 67 years after the registration of the Complainant’s trademark. The substitution of “boehringerr” for “boehringer” by adding only one “r” is too precise to be credibly regarded as coincidental on the present record. The Panel finds it more likely than not that the Respondent was aware of the Complainant’s mark and deliberately targeted it when registering the disputed domain name.

The Panel finds that the mere registration of a domain name that is confusingly similar, in particular through an obvious misspelling, to a widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith.

As to bad-faith use, the disputed domain name resolves to a NameSilo parking page rather than to a substantive website. In the absence of any evidence of active use by the Respondent, such a registrar parking page may be assessed under the passive-holding doctrine.

The DNS query confirms the configuration of MX records, which enables the disputed domain name to receive e-mail and indicates an e-mail capability. This presents a potential risk of deceptive correspondence because the disputed domain name is visually close to the Complainant’s corporate name and trademark. The Panel makes no finding that phishing or fraudulent e-mails have actually occurred; there is no evidence of such messages in the record. The MX configuration is a contextual factor reinforcing the concern created by the registration, rather than an independent proof of misuse.

In addition, the Panel notes that the Respondent used a privacy service to conceal its identity and that the contact details disclosed by the Registrar appear doubtful: the registrant’s name “Smith Smith” bears no relation to the e-mail address provided, and the telephone number provided (602-492-8198) is identical to one of the telephone numbers of the Registrar. While the use of a privacy service is not in itself an indication of bad faith, its use to conceal the registrant’s identity, combined with the provision of apparently inaccurate contact details, may, together with the other circumstances of the case, support an inference of bad. This is the case here.

Taking these circumstances together, the Panel concludes that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **boehringerr-ingelheim.com**: Transferred

PANELLISTS

Name	**Nathalie Dreyfus**

DATE OF PANEL DECISION 2026-11-20

Publish the Decision