

ADMINISTRATIVE PANEL DECISION

Boehringer Ingelheim Pharma GmbH & Co. KG v. Sarah Watson, BRI and Sarah Williams, Boehringer Ingelheim
Case No. D2025-1934

1. The Parties

The Complainant is Boehringer Ingelheim Pharma GmbH & Co. KG, Germany, represented by Nameshield, France.

The Respondents are Sarah Watson, BRI, New Zealand and Sarah Williams, Boehringer Ingelheim, New Zealand.

2. The Domain Names and Registrar

The disputed domain names <boehringeringelheimcom.com> and <drboehringeringelheim.com> are registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 14, 2025. On May 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On the same day, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (REDACTED FOR PRIVACY, BRI/REDACTED FOR PRIVACY, Boehringer Ingelheim) and contact information in the Complaint.

The Center sent an email communication to the Complainant on May 19, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all the disputed domain names are under common control. The Complainant filed an amended Complaint on May 20, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondents of the Complaint, and the proceedings commenced on May 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2025. The Respondents did not file a formal Response. However, one of the Respondents sent an email communication to the Center on May 22, 2025. On June 13, 2025, the Center informed the Parties that it would proceed with panel appointment.

The Center appointed Gonalo M. C. Da Cunha Ferreira as the sole panelist in this matter on June 19, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a global pharmaceutical company based in Germany, founded in 1885. It is part of the Boehringer Ingelheim group, which operates worldwide in the pharmaceutical and animal health sectors.

The Complainant holds several trademark registrations for BOEHRINGER INGELHEIM, including:

- International Trademark Registration No. 568844, registered on March 22, 1991;
- European Union Trademark No. 001067669, registered on June 22, 2000; and
- United States of America Trademark Registration No. 2096336, registered on September 16, 1997.

The Complainant owns and operates the domain name <boehringer-ingelheim.com> since 1995.

The disputed domain names were both registered on May 13, 2025. According to the evidence submitted, both of the disputed domain names resolve to pages under construction. The disputed domain names are configured with Mail Exchange ("MX") records.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainant contends that:

- 1) the disputed domain names are confusingly similar to its registered trademark BOEHRINGER INGELHEIM.
- 2) the Respondents have no rights or legitimate interests in respect of the disputed domain names, as the Complainant has not licensed or otherwise permitted the Respondents to use its trademark.
- 3) the Respondents are not commonly known by the disputed domain names, nor has used or made demonstrable preparations to use the disputed domain names in connection with a bona fide offering of goods or services.
- 4) the disputed domain names were registered and are being used in bad faith.
- 5) the disputed domain names resolve to parking pages.

B. Respondents

The Respondents did not formally reply to the Complainant's contentions. On May 22, 2025, one of the Respondent sent an email communication to the Center, indicating that "My email address was hacked somehow and utilised otherwise. I have restored access and have made sure the domain is unused etc."

6. Discussion and Findings

Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

As regards common control, the Panel notes that:

- 1) the disputed domain names were registered on the same day with approximately 20 minutes apart with the same Registrar;
- 2) the disputed domain names both resolve to the similar "under construction" pages, with MX servers configured;
- 3) the disputed domain name registrants have the same phone number;
- 4) the same name was incorporated in the email addresses of the disputed domain name registrants; and
- 5) the naming pattern of the disputed domain names is similar.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

A. 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 names. [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Complainant has established rights in the trademark BOEHRINGER INGELHEIM.

The disputed domain names incorporate the Complainant's mark in its entirety, with the addition of elements such as "dr" or "com". These additions do not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.8. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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

B. 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 a 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. [WIPO Overview 3.0](#), section 2.1.

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established.

C. 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.

In the present case, the Panel notes that the Respondent registered the disputed domain names incorporating the Complainant’s distinctive and well-known trademark in its entirety, together with additional terms such as “com” and “dr”, which do not prevent a finding of confusing similarity. Considering the distinctiveness and prior registration and use of the Complainant’s trademark, the Panel finds it unlikely that the Respondent registered the disputed domain names without knowledge of the Complainant and its trademark rights.

The disputed domain names resolve to passive holding pages. In view of the distinctiveness and reputation of the Complainant’s mark, the absence of any plausible legitimate use of the disputed domain names noting the disputed domain names incorporating the entirety of the trademark BOEHRINGER INGELHEIM, and the Respondent’s failure to provide any explanation, the Panel considers that the Respondent’s passive holding of the disputed domain names constitutes bad faith. [WIPO Overview 3.0](#), section 3.3.

Additionally, the disputed domain names are configured with MX records. This, together with the composition of the disputed domain names and the lack of any legitimate purpose, supports an inference that they may be used for impersonation or other fraudulent purposes, which further indicates bad faith.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <boehringeringelheimcom.com> and <drboehringeringelheim.com> be transferred to the Complainant.

/Gonçalo M. C. Da Cunha Ferreira/

Gonçalo M. C. Da Cunha Ferreira

Sole Panelist

Date: July 3, 2025