

ADMINISTRATIVE PANEL DECISION

Boehringer Ingelheim Pharma GMBH & CO. KG v. Manuela Gräfe
Case No. D2026-1237

1. The Parties

The Complainant is Boehringer Ingelheim Pharma GMBH & CO. KG, Germany, represented by Nameshield, France.

The Respondent is Manuela Gräfe, Germany.

2. The Domain Name and Registrar

The disputed domain name <boehringer-international.com> is registered with IONOS SE (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on March 23, 2026. On March 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 25, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (NOT IDENTIFIED) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 25, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint in English on March 26, 2026.

On March 25, 2026, the Center informed the parties in German and English, that the language of the Registration Agreement for the disputed domain name is German. On March 26, 2026, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant’s submission.

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 Respondent in German and English of the Complaint, and the proceedings commenced on March 30, 2026. In accordance with the

Rules, paragraph 5, the due date for Response was April 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 23, 2026.

The Center appointed Theda König Horowicz as the sole panelist in this matter on May 12, 2026. 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 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, Germany. Ever since, the Complainant has become a global research-driven pharmaceutical enterprise divided into two business areas: Human Pharma and Animal Health.

The Complainant owns a large portfolio of trademarks including the wording BOEHRINGER in several jurisdictions, such as the European trademark BOEHRINGER no. 002932853 registered on March 2, 2005.

Furthermore, the Complainant owns multiple domain names consisting in the wording BOEHRINGER INGELHEIM, such as <boehringer-ingelheim.com> registered on September 1, 1995.

The disputed domain name <boehringer-international.com> was registered on March 19, 2026 and resolves to a parking page. Besides, Mail Exchange (MX) servers are configured.

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 name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to its trademarks and its domain names associated. The addition of the term "international" is not sufficient to prevent confusing similarity to the trademark. Nor is the addition of the gTLD ".com".

The Complainant further contends that the Respondent has no right or legitimate interest in respect of the disputed domain name, notably because the Respondent is not commonly known by the disputed domain name and was not authorized by the Complainant to register it or to use its BOEHRINGER trademark in any way whatsoever. Furthermore, the disputed domain name is not actively used by the Respondent.

Finally, the Complainant states that the Respondent has registered and is using the disputed domain name in bad faith because the Respondent deliberately chose to register the disputed domain name which is confusingly similar to its BOEHRINGER trademark which is well-known particularly in Germany where the Respondent is based. Furthermore, the disputed domain name points to a parking page and there is no way to conceive any activity with the disputed domain name which 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. Additionally, the disputed domain name has been set up with MX records, which suggests that it may be actively used for email purposes.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

6.1. Procedure Consideration: Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is German. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English since it is the most widely used language in international relations and is one of the working languages of the Center. Furthermore, to proceed in German, the Complainant would have had to retain specialized translation services at a cost very likely to be higher than the overall cost of these proceedings. The use of German in this case would therefore impose a burden on the Complainant which must be deemed significant in view of the low cost of these proceedings.

The Respondent did not participate in the proceedings and did not make any specific submissions with respect to the language of the proceeding although it was given the opportunity to do so.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.5.1).

Having considered all the matters above and in light of the present circumstances, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2. Substantive Issues

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable."

Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that the disputed domain name should be cancelled or transferred:

- (i) the domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the domain name; and
- (iii) the domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a timely and formal Response, the Panel shall decide these administrative proceedings on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. See [WIPO Overview 3.1](#), section 4.3.

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 name. [WIPO Overview 3.1](#), section 1.7.

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

The entirety of the mark is reproduced within the disputed domain name with the only addition of the term “international”. The Complainant’s trademark remains, however, clearly recognizable. Although the addition of another term here, “international” may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

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 that 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 3.1](#), 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 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 the Respondent has chosen to register the disputed domain name which entirely reproduces Complainant’s trademark without authorization.

No evidence is contained in the case file showing that the Respondent would be known by the disputed domain name, also since the disputed domain name is not linked to an active website, but to a parking page.

Under the present circumstances and considering the evidence in the case file, there is no conceivable scenario in which the Respondent would have legitimate interests in using the disputed domain name.

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 deliberately chose to register without authorization the disputed domain name which contains in a clear and recognizable manner Complainant’s BOEHRINGER trademark which is renowned in Germany in relation to pharmaceuticals.

The Complainant has shown that its trade name and trademark BOEHRINGER have been registered and have been widely used internationally since decades. It acquired distinctiveness and reputation in Germany

and other countries. It is therefore not conceivable that the Respondent, who is based in Germany, was not aware of the Complainant and of its mark when registering the disputed domain name.

Panels have found that the non-use of a domain name such as here a parking page would not by itself prevent a finding of bad faith under the doctrine of passive holding. On the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The finding of bad faith is reinforced by the fact that the MX records are active in relation to the disputed domain name which means that email addresses could be created by the Respondent illegitimately impersonating the Complainant

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 name <boehringer-international.com> be transferred to the Complainant.

/Theda König Horowicz/

Theda König Horowicz

Sole Panelist

Date: June 8, 2026