

## **ADMINISTRATIVE PANEL DECISION**

Boehringer Ingelheim Vetmedica GmbH, Boehringer Ingelheim International GmbH v. MEI WANG

Case No. DCO2025-0065

### **1. The Parties**

The Complainants are Boehringer Ingelheim Vetmedica GmbH, Germany, and Boehringer Ingelheim International GmbH, Germany, represented by Nameshield, France.

The Respondent is MEI WANG, China.

### **2. The Domain Names and Registrar**

The disputed domain names <cyltezo.co> and <fencovis.co> are registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 12, 2025. On August 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On August 14, 2025, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 21, 2025, 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 on August 21, 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 Respondent of the Complaint, and the proceedings commenced on August 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 17, 2025.

The Center appointed Alfred Meijboom as the sole panelist in this matter on October 6, 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 Complainants belong to a family-owned pharmaceutical group of companies with roots going back to 1885. The group is divided into two business areas, human pharma and animal health, and has currently 54,500 employees and net sales of nearly 27 billion euros. The Complainants distribute the veterinary prescription medicine FENCOVIS and the human prescription medicine CYLTEZO.

In this respect, the first Complainant Boehringer Ingelheim Vetmedica GmbH owns registered trademarks FENCOVIS for veterinary preparations in class 5 in several countries, including:

- International trademark FENCOVIS with registration number 1023363 of November 13, 2009, designating, inter alia, China, the European Union, and the United States of America ( "United States"); and
- International trademark FENCOVIS (figurative) with registration number 1708092 of November 25, 2022, designating, inter alia, China, the European Union, and the United States;

and the second Complainant Boehringer Ingelheim International GmbH owns registered trademarks CYLTEZO for pharmaceutical preparations in class 5, including International trademark registration number 1242575 of January 19, 2015, designating the European Union and the United States.

The disputed domain names were both registered on July 1, 2025 and both redirect to a website offering the disputed domain names for sale for USD 1,450.

#### **5. Parties' Contentions**

##### **A. Complainants**

The Complainants contend that they have satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainants contend that the disputed domain names are identical to the Complainants' FENCOVIS and CYLTEZO trademarks.

The Complainants contend that the Respondent has no rights or legitimate interests in respect of the disputed domain names and is not related in any way with the Complainants. According to the Complainants, the Respondent is not identified in the WhoIs database as the disputed domain names, and was therefore not commonly known by a disputed domain name, the Complainants do not carry out any activity for, nor has any business with the Respondent and have not granted a license or authorization to the Respondent to make any use of the Complainants' FENCOVIS and CYLTEZO trademarks or apply for registration of the disputed domain names. Finally, the disputed domain names are offered for sale for USD 1,450 which, the Complainants contend, evidence the Respondent's lack of rights or legitimate interests.

The Complainants allege that Google searches of the terms "fencovis" and "cyltezo" display results only in relation with the Complainants' products, so that it is clear that the Respondent registered the disputed domain names in knowledge of the Complainants and their FENCOVIS and CYLTEZO trademarks, which is evidence of bad faith. Moreover, the Complainants contend that, since the disputed domain names are offered for sale, the Respondent has registered the disputed domain names only in order to sell them for more than the out-of-pocket costs, which evinces bad faith registration and use. Moreover, the

Complainants allege that the Respondent fails to make active use of the disputed domain names which failure to actively use the domain names would also be evidence of bad faith registration and use.

## **B. Respondent**

The Respondent did not reply to the Complainants' contentions.

## **6. Consolidation of Multiple Complainants**

The Panel notes that the present Complaint has been filed by multiple Complainants who have submitted a request for consolidation of their respective complaints.

Paragraph 10(e) of the UDRP Rules grants a panel the power to consolidate multiple domain name disputes.

In the present case, the Panel is satisfied that the Respondent has engaged in common conduct that has affected the Complainants in a similar fashion, and it would be equitable and procedurally efficient to permit the consolidation. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.1.

The Panel notes that each of the Complainants has requested that the domain name corresponding to its trademark be transferred to the Complainant concerned.

The Respondent has not indicated that it would suffer any prejudice from consolidation of the complaints and no potential prejudice is apparent to the Panel. The Respondent has not otherwise contested the request for consolidation. In all of these circumstances, the Panel considers that it is procedurally efficient to allow the Complainants to proceed with the single Complaint as filed and its content that such consolidation is fair and equitable to all of the Parties.

## **7. Discussion and Findings**

The Respondent did not file a Response. However, as set out in [WIPO Overview 3.0](#), section 4.3, the consensus view of UDRP panels is that the respondent's default does not automatically result in a decision in favor of the Complainant. The Complainants must still establish each of the three elements required by paragraph 4(a) of the Policy. The Panel may draw appropriate inferences from the Respondent's default; paragraph 4 of the Policy requires the Complainants to support their assertions with actual evidence in order to succeed in this proceeding. Paragraph 14(b) of the Rules provides that, in the absence of exceptional circumstances, the panel shall draw such inferences as it considers appropriate from a failure of a party to comply with a provision or requirement of the Rules. The Panel finds that in this case there are no such exceptional circumstances.

Under the Policy, the Complainants must prove that:

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

### **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 Complainants' trademarks and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

The Complainants have shown rights in respect of trademarks or service marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the two disputed domain names consist only of the Complainant's FENCOVIS and CYLTEZO trademarks, respectively. Accordingly, the disputed domain names are identical to the trademarks 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 Complainants have established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainants' 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 is satisfied that the Respondent is not commonly known by the disputed domain names and was not licensed or authorized by the Complainants to register the disputed domain names. The Panel considers that the composition of the disputed domain names carries a high risk of implied affiliation with the Complainants. [WIPO Overview 3.0](#), section 2.5.1. Offering the disputed domain names for sale for an amount that likely exceeds the Respondent's out-of-pocket costs directly related to the disputed domain names does not constitute use of the disputed domain names in connection with a bona fide offering of goods or services, nor legitimate noncommercial or fair use of the disputed domain names.

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 Complainants showed that they registered the FENCOVIS and CYLTEZO trademarks more than a decade before the Respondent registered the disputed domain names. As FENCOVIS and CYLTEZO appear to be fanciful terms which have no immediately discernable descriptive meaning, the Panel considers it likely that the Respondent registered the disputed domain names because it was familiar with the Complainants' trademarks. Consequently, the Panel is satisfied that the disputed domain names were registered in bad faith.

Given the Panel's finding above and the circumstance that the disputed domain names, directly or rather shortly after registration, both redirect to a same website offering the disputed domain names for sale for an amount that, in the Panel's opinion, substantially exceeds the out-of-pocket costs directly related to the disputed domain names, the Panel finds that the disputed domain names were likely registered primarily for the purpose of selling them to the Complainants or to competitors of the Complainants (paragraph 4(b)(i) of the Policy). The Respondent had the opportunity to clarify its conduct that would refute this assumption, but failed to do so. The Panel is therefore satisfied that the disputed domain names were registered and used in bad faith.

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

## **8. 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 <fencovis.co> be transferred to the Complainant Boehringer Ingelheim Vetmedica GmbH and that the disputed domain name <cyltezo.co> be transferred to the Complainant Boehringer Ingelheim International GmbH.

*/Alfred Meijboom/*

**Alfred Meijboom**

Sole Panelist

Date: October 17, 2025