

## **ADMINISTRATIVE PANEL DECISION**

Alstom v. Jennifer Kaeppler

Case No. D2025-3849

### **1. The Parties**

The Complainant is Alstom, France, represented by Lynde & Associates, France.

The Respondent is Jennifer Kaeppler, United Kingdom.

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

The disputed domain name <alsotmgroup.com> is registered with Name SRS AB (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 22, 2025. On September 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 24, 2025, 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 (Shield Whois) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 24, 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 September 25, 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 September 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 16, 2025. The Respondent sent an email communication to the Center on September 26, 2025. On October 24, 2025, the Center commenced the panel appointment process.

The Center appointed Kathryn Lee as the sole panelist in this matter on October 31, 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 French company established in 1928 in the business of power generation, power transmission, and rail infrastructure. The Complainant has around 80,000 employees in more than 60 countries. In 2022 and 2023, the Complainant's sales reached 16.5 billion Euros. The Complainant owns several trademark registrations for the ALSTOM mark, including International Trademark Registration Number 706292 registered on August 28, 1998, European Union Trademark Registration Number 948729 registered on August 8, 2001, and United States of America Trademark Registration Number 75565686 registered on November 2, 2004.

The Respondent appears to be an individual with an address in the United Kingdom.

The disputed domain name was registered on August 17, 2025, and does not resolve to any website active with content.

#### **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 the ALSTOM mark in which it has trademark registrations since the disputed domain name simply reverses the letters "o" and "t" and the element "group" refers to the Complainant's group of companies.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent's use of, or demonstrable preparations to use the disputed domain name in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain name, or a legitimate noncommercial or fair use of the disputed domain name by the Respondent.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith based on the distinctiveness and reputation of the ALSTOM mark, the typosquatting nature of the disputed domain name, and the lack of any use made of the disputed domain name.

##### **B. Respondent**

The Respondent sent an email in response to the Complaint, but the contents concern an altogether different topic (providing technical specifications on the product the recipient allegedly requested), and does not reference the Complainant's argument or the disputed domain name at all. The email was sent in the name of the Respondent allegedly from a company located in Milan.

## **6. Discussion and Findings**

### **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 of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[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 Panel finds the mark is recognizable within the disputed domain name. Further, it is a case of typosquatting as the letters "o" and "t" are reversed. Previous UDRP panels have concluded that a domain name that consists of a common, obvious, or intentional misspelling of a trademark is considered confusingly similar to the relevant trademark for the purposes of the first element. See [WIPO Overview 3.0](#), section 1.9. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other term – here, "group" – 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 3.0](#), 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 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 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.

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 name which contains a misspelled version of the Complainant's mark, with the letters "o" and "t" reversed, together with the term "group". Given the reputation of the Complainant's mark, the Panel finds that this constitutes typosquatting. Here, the Panel also notes that an Internet search for the misspelled "alsotm" shows results for the Complainant. Absent any response from the Respondent, the Panel is forced to conclude that the Respondent likely registered the disputed domain name intending to target the Complainant and its mark.

There is no evidence that the disputed domain name was ever connected to any active website, but panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark, the failure of the Respondent to submit a proper response or to provide any evidence of actual or contemplated good faith use, the Respondent's concealing its identity, the typosquatting nature of the dispute domain name, and the implausibility of any good faith use to which the disputed domain name may be put, 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 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 <alsotmgroup.com> be transferred to the Complainant.

*/Kathryn Lee/*

**Kathryn Lee**

Sole Panelist

Date: November 14, 2025