

ADMINISTRATIVE PANEL DECISION

Alfa Laval Corporate AB v. ALSCO Today, ALSCO Software
Case No. D2024-5200

1. The Parties

The Complainant is Alfa Laval Corporate AB, Sweden, represented by Advokatbyrå Gulliksson AB, Sweden.

The Respondent is ALSCO Today, ALSCO Software, Iraq.

2. The Domain Name and Registrar

The disputed domain name <alflaval.com> is registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on December 18, 2024. On December 18, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 19, 2024, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that the 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 December 20, 2024. In accordance with the Rules, paragraph 5, the due date for Response was January 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 10, 2024.

The Center appointed Rodrigo Azevedo as the sole panelist in this matter on January 20, 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 Alfa Laval Corporate AB, a traditional Swedish company, reference in areas such as heat transfer, separation, and fluid handling across multiple industries including marine, environment, pharma, hygienic, food, and energy sectors.

The Complainant owns registered trademark rights for ALFA LAVAL for numerous goods and services, in several countries, including the Swedish Trademark Registration no. 6089, registered on the remote date of December 13, 1897.

The Complainant also owns numerous domain names comprising the expression “Alfa Laval”, including <alfalaval.com>, registered on May 12, 1997.

The disputed domain name was registered on November 14, 2024.

At the time of filing the Complaint, the disputed domain name redirected to “host1.alscocloud.com:2096”, a webmail login page. The Panel accessed the disputed domain name on January 30, 2025, which redirected to the same login page.

5. Parties’ Contentions

A. Complainant

The Complainant makes the following contentions:

- The Complainant contends that the disputed domain name is identical or confusingly similar to its well-established trademark ALFA LAVAL. The Complainant filed its first trademark application for the mark ALFA LAVAL in 1897. The Complainant’s extensive and longstanding use of the ALFA LAVAL trademark, supported by over 200 registrations worldwide, underscores its reputation and protection under various international jurisdictions. The Complainant also owns multiple domain names incorporating the ALFA LAVAL trademark. Moreover, previous domain name disputes have consistently affirmed the Complainant’s rights to the ALFA LAVAL trademark, reinforcing its status as a well-known mark. The Respondent has in the domain name incorporated eight out of nine letters of the Complainant’s ALFA LAVAL trademark, with the only difference that the Respondent has in the disputed domain name left out the second A in the word ALFA (ALFA / ALF). This does not substantially alter the disputed domain name in relation to the ALFA LAVAL trademark. Also, for the purpose of determining confusing similarity, the generic Top-Level Domain (“gTLD”) suffix (“.com” in this particular instance) should be disregarded except where the applicable Top-Level suffix itself forms part of the trademark in question.
- The Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name. There is a clear lack of any bona fide offering of goods or services under the disputed domain name, with no evidence of legitimate or fair use. Instead, the disputed domain name redirects users to a webmail login page, indicating misuse for traffic redirection to potentially unrelated commercial services, which does not constitute a legitimate interest. Further, the Complainant emphasizes that the Respondent does not operate any business under the “alfalaval” name and holds no trademark registrations for it. There has been no licensing or authorization by the Complainant to the Respondent to use the ALFA LAVAL trademark or any similar variations, solidifying the stance that the Respondent lacks any legitimate claim to the disputed domain name.
- Lastly, the Complainant argues that the disputed domain name was registered and is being used in bad faith by the Respondent. The evidence suggests that the Respondent had full knowledge of the Complainant’s rights in the ALFA LAVAL trademark given its global recognition and distinctive nature. The Respondent’s failure to respond to a cease-and-desist letter regarding the infringement further indicates a lack of intention to amicably resolve the issue and suggests a disregard for the Complainant’s established

intellectual property rights. The near-identical nature of the disputed domain name to the Complainant's trademark does not leave room for incidental registration, pointing rather to an intent to leverage the Complainant's reputation. This scenario typifies bad faith registration and use, wherein the Respondent's actions likely aim to benefit unfairly from the Complainant's longstanding goodwill and market presence, making any potential use of the disputed domain name inherently likely to infringe upon and damage the Complainant's rights and business reputation.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to be entitled to a transfer of the disputed domain name, a complainant shall prove the following three elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is 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 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 Complaint shows registrations for ALFA LAVAL trademark obtained by the Complainant as early as in 1897. Based on the available record, the Panel finds 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 trademark ALFA LAVAL is recognizable within the disputed domain name, the difference being the absence of one letter "a" ("alfalaval" instead of "alfalaval"), and the gTLD extension ".com".

The absence of one letter among nine others in the same order appears to be an intentional misspelling of the Complainant's trademark. [WIPO Overview 3.0](#), section 1.9.

It is also well established that the addition of a gTLD, such as ".com", is typically disregarded when determining whether a domain name is confusingly similar to a complainant's trademark as such is viewed as a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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 Complainant has not licensed nor authorized the use of its well-known trademark to the Respondent, and the Panel finds no indication that the Respondent is commonly known by the disputed domain name.

Furthermore, the Complainant has shown that the disputed domain name is redirecting Internet users to another website and respective webmail services, probably benefiting from the renown of the ALFA LAVAL brand.

Additionally, although almost completely encompassing the Complainant's trademark ALFA LAVAL at the disputed domain name, the Respondent's website does not accurately and prominently disclose the registrant's relationship, or lack thereof, with the trademark holder.

Therefore, based on the available record, 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

The Panel concludes that it is not feasible that the Respondent was not aware of the Complainant's trademark and that the registration of the disputed domain name was a mere coincidence.

When the disputed domain name was registered in 2024, the ALFA LAVAL trademark was already registered and directly connected with the Complainant's products and services for more than 100 years.

The disputed domain name includes the distinctive trademark ALFA LAVAL in its entirety, besides removing one letter "a", forming an expression which has no dictionary meaning in English ("alflaval"). According to the [WIPO Overview 3.0](#), section 3.1.4, UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith.

The disputed domain name redirects Internet users to a login page for webmail services, without any explanation for the use of the "alflaval" term. Such circumstances indicate that the Respondent is intentionally attempting to attract the Complainant's customers, for commercial gain, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of such website and services.

Finally, the absence of a formal reply from the Respondent to the Complainant's contentions – when served with a ceased-and-desist letter, as well as during the present proceedings – further support a finding of bad faith in the present case.

Based on the available record, the Panel finds the third element of the Policy has been established.

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 <alflaval.com> be transferred to the Complainant.

/Rodrigo Azevedo/

Rodrigo Azevedo

Sole Panelist

Date: February 4, 2025