

ADMINISTRATIVE PANEL DECISION

ALSTOM v. Ameer Awan

Case No. D2025-0910

1. The Parties

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

The Respondent is Ameer Awan, Pakistan.

2. The Domain Name and Registrar

The disputed domain name <alstomofficial.com> is registered with GoDaddy.com, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 5, 2025. On March 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 6, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 7, 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 March 12, 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 March 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 3, 2025.

The Center appointed María Alejandra López García as the sole panelist in this matter on April 10, 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 created in 1928. It is one of the global leaders in power generation and transmission, and rail infrastructure. The Complainant employs 84,000 professionals in more than 60 countries, including Pakistan.

Since 2023, the Complainant has been setting up its permanent representation in Pakistan.

Between April and September, 2024, the Complainant received orders worth EUR 10.9 billion and generated sales of EUR 8.8 billion.

The Complainant owns trademark registrations for ALSTOM in various jurisdictions, including the following:

- International Trademark for ALSTOM (word mark), Registration No. 706292, registered on August 28, 1998, and in force until August 28, 2028; in International Classes ("ICs") 1, 2, 4, 6, 7, 9, 11, 12, 13, 16, 17, 19, 24, 35, 36, 37, 38, 39, 40, 41, and 42.
- European Union trademark for ALSTOM (work mark), Registration No. 000948729, registered on August 8, 2001, and in force until September 30, 2028; in ICs 6, 7, 9, 11, 12, 16, 19, 24, 35, 36, 37, 38, 39, 40, 41, and 42.
- Pakistan trademark for ALSTOM (and design), Registration No. 521966, registered on February 1, 2019, and in force until February 1, 2029; in IC 37.

Furthermore, the Complainant is the owner of a number of domain names containing the ALSTOM trademark, such as <alstom.com> registered on January 20, 1998; <alstomgroup.com>, registered on November 14, 2000; and <alstom.pk> registered on December 1, 2005.

The disputed domain name was registered on January 20, 2025.

At the time the Complaint was filed, the website at the disputed domain name resolved to a parking page with pay-per-click ("PPC") commercial links, some of which related to the Complainant's business activities, as transportation or electricity. At the time of this Decision, the website at the disputed domain name resolves to a parking page, with a link offering the disputed domain name for purchase.

The Respondent is Ameer Awan of Pakistan. There is no additional information related to the Respondent that might suggest a commercial relationship or any connection with the Complainant.

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 Complainant's trademark ALSTOM; that the addition of the term "official" misleads Internet users into believing the disputed domain name is belonging to ALSTOM.

Concerning the second element of the Policy, the Complainant contends in summary that the Respondent does not have rights or legitimate interests in respect of the disputed domain name, given that the Respondent is not affiliated in any way to ALSTOM; the Complainant never authorized a third party to register a domain name composed of the trademark ALSTOM or the phrase "alstom official"; the Respondent is not commonly known by the disputed domain name; the use of the disputed domain name as

parking page with PPC commercial links related to the Complainant, being transportation and electricity, compete with, capitalize on the reputation and goodwill of the Complainant's trademark; and the composition of the disputed domain name carries a high risk of implied affiliation.

Concerning the third element of the Policy, the Complainant contends in summary that the disputed domain name has been registered and is being used in bad faith, given that the Complainant's trademark rights over the term ALSTOM significantly predate the disputed domain name registration date; that ALSTOM was already considered as a well-known trademark by the time of the disputed domain name's registration; that the use of the disputed domain name as a parking page with PPC links commercially related to the Complainant takes unfair advantage of the ALSTOM mark's significant reputation.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must satisfy each of the three following elements:

- (i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights; and
- (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.

No Response or any kind of communication has been submitted by the Respondent, despite the fair opportunity given by the Center to present its case under paragraph 2(a) of the Rules. However, the Complainant must establish the three elements of paragraph 4(a) of the Policy. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.3. Therefore, this Panel shall analyze the evidence submitted by the Complainant and decide this dispute under the "balance of probabilities" or "preponderance of the evidence" standard. See paragraphs 14 and 15(a) of the Rules, and [WIPO Overview 3.0](#), section 4.2.

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 3.0](#), 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. 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 terms here, "official" 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. As for the applicable generic Top-Level Domain ("gTLD") ".com", it is well established that such element may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark, as it is a technical requirement of registration. [WIPO Overview 3.0](#), section 1.11.1.

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.

Given the well-known character of the Complainant’s ALSTOM trademark and the composition of the disputed domain name, this Panel inevitably finds that such composition, here ALSTOM plus the term “official”, cannot constitute fair use since it effectively suggests sponsorship or endorsement by the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

Additionally, in this Case, given the use of the disputed domain name as a parking page with PPC links related to the Complainant’s business activities, this Panel finds that such use does not constitute a bona fide offering of goods or services as set out in paragraph 4(c)(i) of the Policy. [WIPO Overview 3.0](#), section 2.9.

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

C. Registered and Used 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.

Concerning the bad faith registration of the disputed domain name, given the worldwide reputation and well-known character of the Complainant’s trademark ALSTOM, well established by the time of the disputed domain name’s registration, and the composition of the disputed domain name, it is clear to this Panel that the Respondent was aware of the Complainant’s business and trademark value. [WIPO Overview 3.0](#), section 3.2.2. The Panel notes that prior decisions under the Policy have recognized the well-known character of the ALSTOM trademark, see *Alstom v. arshi agro*, WIPO Case No. [D2025-0529](#); *Alstom v. SaqibAhmed*, WIPO Case No. [D2023-0074](#); *ALSTOM v. Daniel Bailey (Registrant I D: tuuROSvPjBZdd2XO)*, WIPO Case No. [D2010-1150](#).

Regarding the bad faith use, the Panel finds that the use of an inherently misleading domain name to display third-party sponsored PPC links, some of which are related to the Complainant, and to allegedly collect click-through fees is evidence of bad faith under paragraph 4(b)(iv) of the Policy. [WIPO Overview 3.0](#), section 3.1.4 and section 3.5.

Therefore, 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 <alstomofficial.com> be transferred to the Complainant.

/María Alejandra López García/

María Alejandra López García

Sole Panelist

Date: April 18, 2025