

ADMINISTRATIVE PANEL DECISION

Alstom v. Akash Ahmed, Abbenergy
Case No. D2025-2415

1. The Parties

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

The Respondent is Akash Ahmed, Abbenergy, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <alstom-in-motion.com> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 18, 2025. On June 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 19, 2025, 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 June 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 18, 2025.

The Center appointed Enrique Bardales Mendoza as the sole panelist in this matter on July 29, 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 owns and operates the websites at the domain names <alstom.com>, registered since January 20, 1998, and <alstomgroup.com>, registered on November 14, 2000 (Annex 6 to the Complaint). The Complainant is a French company founded in 1928 and a global leader in transport infrastructure, with operations in over 60 countries. Its goods and services are widely recognized worldwide, and the United States is a key market where it has a long-standing presence as a leading mobility technology provider. As evidenced in Annex 5 to the Complaint, the Complainant owns, amongst others, the following trademark registrations:

- United States Trademark No. 4236513 for ALSTOM and logomark (registered on November 6, 2012) and covering goods in classes 1, 6, 7, 8, 9, 12, 13,17, and 19 ;
- European Union Trademark No. 948729 for ALSTOM (registered on August 8, 2001) and covering goods and services in classes 6, 7, 9, 11, 12, 16, 19, 24, 35, 36, 37, 38, 39, 40, 41 and 42;
- International Registration No. 706292 for ALSTOM (registered on August 28, 1998) and covering goods and services in classes 1, 2, 4, 6, 7, 9, 11, 12, 13, 16, 17, 19, 24, 35, 36, 37, 38, 39, 40, 41 and 42;
- International Registration No. 706360 for ALSTOM and logomark (registered on August 28, 1998) and covering goods and services in classes 1, 2, 4, 6, 7, 9, 11, 12, 13, 16, 17, 19, 24, 35, 36, 37, 38, 39, 40, 41 and 42.

The disputed domain name <alstom-in-motion.com> was created on January 29, 2025 (Annex 1 to the Complaint). According to the Annex 7 to the Complaint, the disputed domain name redirects to a blocked webpage.

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 <alstom-in-motion.com> is identical or confusingly similar to the ALSTOM trademark. The disputed domain name wholly incorporates the Complainant's well-known ALSTOM mark and reproduces in full the phrase "ALSTOM IN MOTION", which is the name of the Complainant's strategic plan. The addition of hyphens and the generic Top-Level Domain ("gTLD") ".com" does not prevent a finding of confusing similarity.

According to the Complainant, the Respondent lacks rights or legitimate interests in the disputed domain name because:

- (i) there is no relationship or authorization between the Complainant and the Respondent regarding the use of the ALSTOM trademark or the phrase "ALSTOM IN MOTION";
- (ii) the Respondent has never been commonly known by these terms, has not made any bona fide use of the disputed domain name, and has kept it inactive since registration;
- (iii) the Respondent's choice of the Complainant's mark and strategic plan name suggests an intent to take unfair advantage of ALSTOM's reputation, divert Internet traffic, and prevent the Complainant from reflecting its mark in a corresponding domain name.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove that the following three elements are present in order to obtain the transfer or cancellation of the disputed domain name:

- a. It must be demonstrated that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights.
- b. It must be demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain name.
- c. It is necessary to demonstrate that the disputed domain name has been registered and used in bad faith.

Since in the present case there was no response from the Respondent to the Complaint filed by the Complainant, the Panel can take as true those assertions of the Complainant that it considers reasonable (see *Joseph Phelps Vineyards LLC v. NOLDC, Inc., Alternative Identity, Inc., and Kentech*, WIPO Case No. [D2006-0292](#)).

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 reproduced 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.

Moreover, the generic Top-Level Domain ("gTLD") ".com" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

In other words, while the addition of other terms may bear on the assessment of the second and third elements, the Panel finds that the inclusion of "in-motion" (being a direct reference to the Complainant's strategic plan) 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 Complainant’s trademark ALSTOM is a well-known mark in the transport infrastructure sector and is also associated with the phrase “ALSTOM IN MOTION”, the name of its strategic plan. Thus, the inclusion of this phrase in the disputed domain name does not confer any distinctiveness that would allow it to be differentiated from the Complainant’s intangible assets. This is reinforced by the fact that “ALSTOM IN MOTION” is widely publicized and directly associated with the Complainant’s business strategy and activities.

Additionally, the Panel notes that there is no relationship or authorization between the Complainant and the Respondent concerning the use of the ALSTOM trademark. Therefore, the Respondent has no rights or legitimate interests in the disputed domain name, as evidenced by the fact that, according to the Annex 7 to the Complaint, the disputed domain name redirects to a blocked webpage.

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

C. Registered and Used in Bad Faith

In the present case, the following circumstances demonstrate bad faith registration and use of the disputed domain name:

- i) The disputed domain name was registered long after the Complainant’s trademarks and official domain names (Annexes 4–6 to the Complaint).
- ii) As acknowledged in previous UDRP decisions, the ALSTOM trademark is well known worldwide, and the inclusion of the Complainant’s mark together with the phrase “ALSTOM IN MOTION” (directly associated with its strategic plan) confirms that the Respondent could not have been unaware of its existence.
- iii) The Respondent has attempted to conceal their identity by providing false and incomplete contact details, including a fictitious street and city in Alaska.
- iv) The Respondent has provided no evidence of any good faith use of the disputed domain name, which has remained inactive since registration.
- v) The Respondent failed to respond to the Complainant’s communications and to this Complaint.

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 <alstom-in-motion.com> be transferred to the Complainant.

/Enrique Bardales Mendoza/

Enrique Bardales Mendoza

Sole Panelist

Date: August 11, 2025