

ADMINISTRATIVE PANEL DECISION

The Southern Company v. Lance Wilson
Case No. D2025-3288

1. The Parties

The Complainant is The Southern Company, United States of America (“United States” or “USA”), represented by Allure Security Technology, Inc., United States.

The Respondent is Lance Wilson, United States.

2. The Domain Name and Registrar

The disputed domain name <southernscnpany.com> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 15, 2025. On August 18, 2025, the Center transmitted to the Registrar a request for registrar verification in connection with the disputed domain name. On August 19, 2025, the Registrar transmitted to the Center its verification response disclosing the registrant and contact information for the disputed domain name, which differed from the named Respondent (Private by Design, LLC) and contact information in the Complaint. On August 19, 2025, the Center provided the Complainant with the registrant and contact information disclosed by the Registrar and invited the Complainant to amend the Complaint. The Complainant filed an amended Complaint on August 26, 2025.¹

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 proceeding commenced on August 27, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was September 16, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 17, 2025.

¹The Complainant removed one domain name from the proceeding upon receipt of the Center’s notice of multiple underlying registrants.

The Center appointed Professor Ilhyung Lee as the sole panelist in this matter on September 22, 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 describes itself as “one of the largest power distribution companies in the USA.” The Complainant states that it holds multiple trademark registrations for SOUTHERN COMPANY in the United States (e.g., registration number 2,163,676, registered on June 9, 1998; registration number 2,174,589, registered on July 21, 1998; and registration number 2,176,397, registered on July 28, 1998). The Complainant also registered the domain name <southerncompany.com> for its official website, on November 20, 1998.

The disputed domain name <southerncompany.com> was registered on April 14, 2025. The disputed domain name previously redirected to the Complainant’s official website and has also been used to send fraudulent emails impersonating the Complainant’s employees.

5. Parties’ Contentions

A. Complainant

The Complainant contends principally that: (i) the disputed domain name is identical or confusingly similar to a 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. In addition, the amended Complaint states, inter alia:

“The Complainant’s brand, THE SOUTHERN COMPANY, is a well-known entity in the USA power distribution industry, recognized by millions.”

“The Complainant has not authorized, licensed, or otherwise permitted the Respondent to register or use its trademarks, or any permutation of its trademarks, in any domain name.”

“Respondent used the disputed domain name to impersonate Complainant’s employee and solicit engagement in a fraudulent ‘photo and video shoot’ scheme, and configured the disputed domain name to redirect to Complainant’s official site.”

B. Respondent

The Respondent did not reply to the Complainant’s contentions. Under paragraphs 5(f) and 14(a) of the Rules, the Panel may decide the dispute based on the Complaint. Paragraph 14(b) allows the Panel to draw appropriate inferences from the Respondent’s default.

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 demonstrated rights in respect of a trademark or service mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The SOUTHERN COMPANY mark is plainly recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The insertion of the letter “s” within the mark does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.9.

The generic Top-Level Domain (“gTLD”) “.com”, a technical registration requirement, is disregarded in the consideration of this element. [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the first element of the Policy has been established.

B. Rights or Legitimate Interests

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 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.

Here, the Complainant states that it has not authorized the Respondent to use the SOUTHERN COMPANY mark and has met its initial burden of making a prima facie showing that the Respondent has no rights or legitimate interests in respect of the disputed domain name. Thus, the burden shifts to the Respondent to demonstrate any such rights or legitimate interests. Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

The Respondent has defaulted. It 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 is unable to ascertain any evidence that would demonstrate the Respondent’s rights or legitimate interests in the disputed domain name.

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

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances that are evidence of “registration and use of a domain name in bad faith.” Panels have held that 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.

Here, the Respondent’s selection of the disputed domain name <southerncompany.com> suggests typosquatting, which is “of itself evidence of bad faith.” *National Association of Professional Baseball Leagues, Inc., d/b/a Minor League Baseball v. John Zuccarini*, WIPO Case No. [D2002-1011](#). In addition to registering the disputed domain name, the Respondent created and used an email address ending with “@southerncompany.com” to contact third parties, posing as the Complainant’s chief human resources officer. Panels have held that the use of a domain name for purposes other than hosting a website constitutes bad faith. Such purposes include sending fraudulent emails. [WIPO Overview 3.0](#), section 3.4.

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 <southerncompany.com> be transferred to the Complainant.

/Ilhyung Lee/

Ilhyung Lee

Sole Panelist

Date: September 30, 2025