

## **ADMINISTRATIVE PANEL DECISION**

Transalta Corporation v. John Gomez  
Case No. D2025-3654

### **1. The Parties**

The Complainant is Transalta Corporation, Canada, represented by ZeroFox, United States of America.

The Respondent is John Gomez, Nigeria.

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

The disputed domain name <transaltald.net> (the “Domain Name”) is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 9, 2025. On September 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On September 11, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Whois Privacy Protection Foundation) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 11, 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 amendment to the Complaint on September 18, 2025.

The Center verified that the Complaint together with the amendment to 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 September 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 28, 2025.

The Center appointed Mathias Lilleengen 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 to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant is an electricity power generator and wholesale marketing company headquartered in Alberta, Canada. It was founded in 1911 and operates today 76 power plants located throughout Canada, the United States and Australia.

The Complainant owns multiple registered trademarks for its trade name and logos, such as United States Registration No. 3014365 for TRANSALTA, registered on November 15, 2005. The Complainant has an established online presence through its official domain name <transalta.com> (registered in 1996).

The Domain Name was registered on February 13, 2025. The Complainant has documented that the Respondent has used the Domain Name to a web page that impersonates the Complainant by using its logo and graphics without permission.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant provides evidence of trademark registrations. The Complainant contends that the Domain Name is confusingly similar to the Complainant's trademark as the Domain Name incorporates the Complainant's entire trademark with the addition of "Ltd" (likely short for "limited"). The addition does not create a new or unique term or phrase that can be reasonably distinguished from TRANSALTA. The addition may be misunderstood by consumers as indicating that the website belongs to the Complainant.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Complainant asserts that the Respondent is not using the Domain Name with the Complainant's consent. The Respondent's use of the Domain Name does not constitute legitimate noncommercial or fair use. The Domain Name resolves to a web page that impersonates the Complainant at the same time as it hosts crypto investment content. This is not bona fide use pursuant to the Policy.

The Complainant believes that the Domain Name was registered and is actively being used in bad faith to impersonate the Complainant. The Respondent has crafted its impersonating site using the Complainant's logos and corporate information in order to perpetrate a cryptocurrency marketing scam. The Respondent's unauthorized use of the Complainant's trademark is harmful to the Complainant's reputation, and creates a situation where business is diverted from the Complainant's official site. The active MX record for the Domain Name indicates that the Respondent intends to send and receive emails. Finally, the Respondent has done all of this while obfuscating their contact and registration information using a privacy service.

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

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

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

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 Domain Name. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has established that it has rights in the trademark TRANSALTA. In this case, the Domain Name incorporates the Complainant's trademark with the addition of "Ltd" at the end. The addition does not prevent confusing similarity between the Domain Name and the trademark. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain, see [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

### **B. Rights or Legitimate Interests**

Paragraph 4(c) of the Policy provides a list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. See [WIPO Overview 3.0](#), section 2.1.

Based on the evidence, the Respondent is not affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. On the contrary, the use of the Domain Name is evidence of bad faith, see below.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

### **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.

The Respondent most likely knew of the Complainant when it registered the Domain Name. It follows from the composition of the Domain Name and the Respondent's use of the Domain Name. The Respondent has not offered any explanation as to why it registered a domain name confusingly similar to the Complainant's trademark, nor provided any evidence of actual or contemplated good faith use of the Domain Name. On the contrary, the Respondent's use appears to be a scam webpage aimed at confusing Internet users. It is thus evident that the Respondent attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark.

Based on the record, 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 the Domain Name <transaltald.net> transferred to the Complainant.

*/Mathias Lilleengen/*

**Mathias Lilleengen**

Sole Panelist

Date: November 5, 2025