

ADMINISTRATIVE PANEL DECISION

ALSTOM v. Joe Alstom

Case No. D2025-4534

1. The Parties

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

The Respondent is Joe Alstom, United States of America ("US").

2. The Domain Name and Registrar

The disputed domain name <alstommarketing.com> (the "Disputed Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 3, 2025. On November 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 5, 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 (Redacted for Privacy, Privacy Service Provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 5, 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 November 7, 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 November 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 1, 2025.

The Center appointed Michal Havlík as the sole panelist in this matter on December 8, 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 operating in the field of transporting infrastructures. The Complainant operates under its ALSTOM trademarks and has registered numerous domain names such as <alstom.com>, registered on January 20, 1998, and <alstomgroup.com> registered on November 14, 2000.

The Complainant owns multiple trademark registrations for ALSTOM including:

- US trademark registration No. 4236513 with registration date November 6, 2012;
- European Union trademark registration No. 000948729 with registration date August 8, 2001; and
- International trademark registration No. 706360 with registration date August 28, 1998.

(hereinafter referred to as the “ALSTOM trademarks”).

The Disputed Domain Name was registered on May 8, 2025. Having checked the Disputed Domain Name, the Panel notes that there is no change on the website under the Disputed Domain Name after filing of the Complaint. The Disputed Domain Name resolves to a website where it is offered for sale for USD 9,999.

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.

The Complainant cites its various trademark registrations for ALSTOM. The Complainant contends that the Disputed Domain Name reproduces the ALSTOM trademarks wholly, therefore, it is confusingly similar to the Complainant's trademarks. The Complainant further cites several UDRP decisions concerning domain names comprising the sign “ALSTOM” where prior panels made a finding of confusing similarity, among them: *ALSTOM v. Ameer Awan*, WIPO Case No. [D2025-0910](#) and *Alstom v. Arshi agro*, WIPO Case No. [D2024-0529](#). Furthermore, the Disputed Domain Name associates the Complainant's prior trademarks with a descriptive word “marketing” which, according to the Complainant, may lead Internet users to believe that the website placed under the Disputed Domain Name is an official website dedicated to the Complainant's marketing activities. The Complainant is of the opinion that given the worldwide reputation of its trademarks, the public will immediately see the Disputed Domain Name as belonging to the Complainant.

The Complainant also argues that the Respondent lacks both rights and legitimate interest in the Disputed Domain Name since the Respondent is not in any way connected or affiliated to the Complainant which has never given any authorization to register such domain name or to use its ALSTOM trademarks. Moreover, the fact that the Disputed Domain Name is being offered for sale since its registration date cannot be seen as a legitimate use.

The Complainant alleges that the registration of the Disputed Domain Name shows bad faith. With regards to the long-term and broad use of the Complainant's trademarks, the Respondent must have known about their existence when registering the Disputed Domain Name. According to the Complainant, the Respondent registered the Disputed Domain Name solely for the purpose of selling it in excess of the Respondent's out-of-pocket costs directly related to the Disputed Domain Name. This is suggested by the fact that the Respondent was only willing to transfer the Disputed Domain Name in the exchange of USD 10,000, as

evidenced by the pre-complaint exchanges between the parties prior to the current proceeding, which evidently exceeds the Respondent's out-of-pocket costs associated with the Disputed Domain Name. In addition, the Complainant claims that the Respondent's name as indicated by the Registrar is not the Respondent's real name. To this point, the Complainant claims that the Respondent's real name is "J Sigma" as this name is included in the Respondent's email address and the email sent via this email address to the Complainant, before the filing of the Complaint, appears to have been sent by "J Sigma". The Complainant also claims that the Respondent's contact details are false as the address indicated by the Registrar for the registrant of the Disputed Domain Name does not exist.

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 has the burden of proving the following:

- (i) that the Disputed Domain Name is identical or confusingly similar to a trademark or a service mark in which the Complainant has rights;
- (ii) that the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and
- (iii) that the Disputed Domain Name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has sufficiently demonstrated existence of its trademark rights in numerous jurisdictions. Therefore, the Complainant has shown the existence of valid trademarks for the purpose of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.2.1.

The entirety of the ALSTOM trademarks is reproduced within the Disputed Domain Name. Although the addition of the element "marketing" 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 Complainant's trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8. Accordingly, the Disputed Domain Name is confusingly similar to the trademarks in which the Complainant has rights for the purpose of the Policy. [WIPO Overview 3.0](#), section 1.7.

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, previous panels have recognized that proving a respondent lack of 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 right 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 (even though 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 that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name. The Respondent does not own any registered trademark rights for ALSTOM and he does not have any license or authorization granted by the Complainant. The use of the Disputed Domain Name in the way that the website placed under the Disputed Domain Name merely contains an offer to sell the Disputed Domain Name does not constitute legitimate non-commercial or fair use of the Disputed Domain Name, particularly noting the composition of the Disputed Domain Name.

The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence illustrating rights or legitimate interests in the Disputed Domain Name such as those enumerated in the Policy or otherwise. As to the Respondent's surname as indicated by the Registrar, there is no explanation as to why the Respondent registered a domain name with "Alstom" and the term "marketing", and given the fact that the Respondent communicated with the Complainant before the current proceeding using an email address including the name "Sigma" and that the Respondent has not claimed (including in the pre-complaint communication with the Complainant) that his name is "Alstom" and has not furnished any evidence proving that, the Panel does not consider it proven that the Respondent's surname is "Alstom". Therefore, there is no evidence in the record that the Respondent has been commonly known by the Disputed Domain Name or a name corresponding to the Disputed Domain Name. [WIPO Overview 3.0](#), section 2.3.

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 purpose of paragraph 4(a)(iii), paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, 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 Respondent has not put forward any legitimate interest or evidenced-backed rationale or purpose for registering the Disputed Domain Name or any legitimate pre-complaint website content.

The Complainant has successfully demonstrated that the ALSTOM trademarks are highly distinctive, have been registered in numerous jurisdictions and have been found as reputable and well-known by previous panels. Therefore, the Panel can conclude that the Respondent had or should have had knowledge of the ALSTOM trademarks when it registered the Disputed Domain Name. *LEGO Juris A/S v. Domains by Proxy, Inc., DomainsByProxy.com / DBA David Inc.*, WIPO Case No. [D2011-1839](#) and [WIPO Overview 3.0](#), section 3.2.2.

With respect to the foregoing, the Panel finds that the manner in which the Disputed Domain Name is used and offered for sale leads to the conclusion that the Respondent has registered and used the Disputed Domain Name primarily for the purpose of selling it to the Complainant or to a competitor of the Complainant for valuable consideration likely in excess of out-of-pocket costs directly related to the Disputed Domain Name. As such, the Panel concludes that the Respondent has registered and used the Disputed Domain Name in bad faith.

In addition, the Respondent's bad faith is supported by the fact that it uses false (non-existing) contact details (address). [WIPO Overview 3.0](#), section 3.2.1.

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 <alstommarketing.com> be transferred to the Complainant.

/Michal Havlík/

Michal Havlík

Sole Panellist

Date: December 22, 2025