

ADMINISTRATIVE PANEL DECISION

Westinghouse Electric & Manufacturing Company, LLC v. Domain
Administrator, Fundacion Privacy Services LTD
Case No. D2026-1161

1. The Parties

The Complainant is Westinghouse Electric & Manufacturing Company, LLC, United States of America ("United States"), represented by Markmonitor, United Kingdom.

The Respondent is Domain Administrator, Fundacion Privacy Services LTD, Panama.

2. The Domain Name and Registrar

The disputed domain name <westinhouse.com> is registered with Media Elite Holdings Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 18, 2026. On March 18, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 20, 2026, 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 March 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on April 14, 2026.

The Center appointed Martin Michaus Romero as the sole panelist in this matter on April 21, 2026. 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 states:

- 1.- It is a limited liability company organized under the laws of the United States of America.
- 2.- The “Westinghouse” name traces its origin to 1886, when it was founded by the eponymous George Westinghouse, from its inception, the “Westinghouse” name became associated with significant developments in electrical engineering and industrial technology during a formative period of industrial expansion in the United States.
- 3.- Over the course of the twentieth century, the “Westinghouse” name was applied to a wide range of electrical, mechanical and consumer products, including appliances, electronics, lighting, and power generation equipment.
- 4.- It became established as a name and brand denoting engineering competence and technical reliability.
- 5.- For over a century, the “Westinghouse” name has been linked with power generation, electrical equipment and related technologies. The “Westinghouse” brand has been used continuously in commerce for more than one hundred years and has achieved a high degree of recognition in the United States and internationally, both as an industrial mark and as a consumer-facing household brand. It is a name with substantial historical depth and longstanding commercial presence.
- 6.- The WESTINGHOUSE mark is used in connection with a broad range of consumer and industrial good across multiple sectors.
- 7.- It maintains an active presence at its principal website “westinghouse.com”, through which WESTINGHOUSE branded products and services are promoted and sold, and which serves as the primary point of contact for consumers seeking the Complainant online
- 8.- Is the owner of an extensive international portfolio of registered trademarks for the mark WESTINGHOUSE. Some of the oldest trademark registrations are mentioned and some predate the date of creation or registration of the domain name. Such trademark registrations are:

Trademark no.	Mark	Jurisdiction	Registration date	Int. class(es)
UK00000570694	WESTINGHOUSE	United Kingdom	August 04, 1936	11
002995363	WESTINGHOUSE	European Union	February 03, 2005	7, 8, 9, 11, 14
299083	WESTINGHOUSE	United States	November 22, 1932	7, 9, 11, 12, 15

As indicated by the Complainant, the oldest WESTINGHOUSE mark pre-dates the registration of the domain name by approximately 72 years.

- 9.- The disputed domain name was created and or registered on May 18, 2004.

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 contends that:

- 1.- The disputed domain name consists of a single typographical variant of its WESTINGHOUSE mark. The only difference between the Complainant's Mark and the disputed domain name is the omission of the letter "g" from the term "Westinghouse".
 - 2.- It notes that the disputed domain name has throughout its history shown no evidence of use in connection with any substantive business activity. In February 2005, the disputed domain name redirected Internet users to a domain name parking-page inviting contact with the domain owner. By February 2011, it was redirecting to a third party pay-per-click redirect service at "redirect.hotkeys.com". In December 2013, it redirected to a subdomain of the disputed domain name which itself returned a further redirect which is not related by Wayback Machine. This same configuration was still in place on October 8, 2022.
- At this point of submission, the disputed domain name resolves to a website displaying a fake security warning purporting to originate from McAfee, a well-known provider of computer security software.
- 3.- The Respondent does not have any rights or legitimate interests in the disputed domain name. The Respondent is not commonly known by the name "Westinghouse" whether before or after registration of the disputed domain name.
 - 4.- The Respondent is not a licensee of the Complainant and has not received any permission, consent or authorization from the Complainant to use the WESTINGHOUSE name or mark in connection with the registration of the disputed domain name, or otherwise.
 - 5.- Has found no evidence that the Respondent owns any trademark rights incorporating the term "westinghouse", nor any evidence that the Respondent has carried on a legitimate business under the name.
 - 6.- That the display of fake security warnings constitutes the distribution of malware and/or attempt to deceive Internet users by impersonating a legitimate security provider, and that such use cannot confer rights or legitimate interests on the Respondent.
 - 7.- Even if the pay-per-click redirection was operated automatically or by a third party, the Respondent cannot disclaim responsibility for such use, and it constitutes bad faith use of the disputed domain name.
 - 8.- The website associated with the disputed domain name is designed to deceive Internet users into believing they are receiving a legitimate security warning from McAfee, and to induce them to execute malicious software by clicking the "Run Quick Scan" prompt. Such conduct constitutes both the distribution of malware and an attempt to defraud Internet users by impersonating a well-known third-party brand.
 - 9.- It has been aware of the disputed domain name only recently and there is no evidence of any demand, correspondence, or prior assertion of rights by Complainant that could be said to have encouraged the Respondent to continue operating the disputed domain name.
 - 10.- The disputed domain name has not been used for any apparently legitimate business activity throughout its history.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the complainant is required to prove on the balance of probability that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- (ii) the respondent has no rights or legitimate interests in the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

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 3.1](#), section 1.7.

The omission of the letter "g" of the well-known trademark WESTINGHOUSE constitutes typosquatting. Furthermore, the generic Top-Level Domain ".com" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), sections 1.9 and 1.11.

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 with the second element. [WIPO Overview 3.1](#), 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 Panel considers that the composition of the disputed domain name carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.1](#), section 2.5.1. The Respondent has neither used the disputed domain name for a bona fide offering of goods or services nor for a legitimate non-commercial or fair purpose. On the contrary, the disputed domain name used to redirect to a third party website, and later a website which displays a fake security warning purporting to originate from McAfee, that constitutes the distribution of malware and/or attempt to deceive Internet users by impersonating a legitimate security provider. These links compete with or capitalize on the reputation and goodwill of the Complainant's mark or otherwise mislead Internet users. Furthermore, the use of a domain name for illegal activity such as distribution of malware can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), sections 2.9 and 2.13.

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 3.1](#), section 3.2.1.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

In the present case, the Panel notes that:

- A) The Respondent was aware of the existence of the Complainant and their activities.
- B) The disputed domain name is confusingly similar to the Complainant's WESTINGHOUSE trademark.
- C) The Complainant's WESTINGHOUSE trademark predates the registration of the disputed domain name.
- D) Through the history of the disputed domain name, there is no evidence of use in connection with any business activity.
- E) The Complainant has not granted an authorization, consent or license to the Respondent to use the WESTINGHOUSE mark, as part of the disputed domain name.

Moreover, the disputed domain name redirected to a third party website. The Panel finds that, by using the disputed domain name confusingly similar to the Complainant's trademark, the Respondent has intentionally attempted to attract Internet users to its website for commercial gain by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, or endorsement of the website. Such conduct constitutes evidence of registration and use in bad faith within the meaning of paragraph 4(b)(iv) of the Policy.

Having reviewed the record and according to Section 4.17 of the [WIPO Overview 3.1](#), the Panel finds, that the delay to file the complaint does not prevent the Complainant's right to proceed, likewise the no response of the Respondent and that the disputed domain name resolved to spread malware and redirected to a third party website as it has been demonstrated, the disputed domain name, was registered and used in bad faith.

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 <westinhouse.com> be transferred to the Complainant.

/Martin Michaus-Romero/

Martin Michaus-Romero

Sole Panelist

Date: May 5, 2026