

ADMINISTRATIVE PANEL DECISION

ALSTOM v. Javier Perez

Case No. D2026-1256

1. The Parties

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

The Respondent is Javier Perez, Spain.

2. The Domain Name and Registrar

The disputed domain name <alstomgroups.cam> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 24, 2026. On March 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 24, 2026, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 25, 2026, 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 March 27, 2026.

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 March 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was April 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on April 20, 2026.

The Center appointed Clive Duncan Thorne as the sole panelist in this matter on April 27, 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, a French company, was created in 1928. It is a global leader in the field of power generation, power transmission and rail infrastructure. It employs over 80000 professional staff in more than 63 countries at over 250 sites.

In 2022 and 2023, its order intake totaled 20.7 billion EUROS and sales achieved 16.5 billion EUROS. In 2024 its sales achieved 17.6 billion EUROS.

It plays a significant role in the manufacture and overhaul of railway rolling stock. It develops and markets a complete range of systems, equipment, and services in the railway industry.

Detailed evidence is given in the Complaint of significant railway manufacturing projects in Spain, in France, in Netherlands (Kingdom of the), in Germany, in Iceland, in the United States of America ("United States") and in Canada. For example, in Spain it operates from 12 sites, in France from 15 sites and in the United States from 15 sites. In the Panel's view this evidence supports the submission that the goods and services that the Complainant produces under the mark ALSTOM are well known throughout the world.

The Complainant provides evidence of trade mark registrations that it owns for the mark ALSTOM including European Union , Icelandic, International, French, and United States registrations. Examples include:

European Union registration No.000948729 registered on August 8, 2001, in classes 6, 7, 9, 11, 12, 16, 19, 24, 35, 36, 37, 38, 39, 40, 41 and 42.

French registration No. 98727759 registered on October 9, 1998, in classes 6, 7, 9,11,12,16,19, 24, 35, 36, 37, 38, 39, 40, 41 and 42.

United States registration No. 85250501 registered on July 22, 2014, in classes 1,6, 7, 8, 9,11, 12, 16,17, 19, 24, 35, 36, 37, 38, 39, 40, 41, 42 and 45.

Copies of certificates of registration are exhibited at Annex 4 to the Complaint. The trade mark registrations ALSTOM relied upon by the Complainant were registered before the date of registration of the disputed domain name on March 2, 2026.

The Complainant also owns and trades using numerous domain names incorporating the trade mark ALSTOM including <alstomgroup.com> and <alstomgroups.com> which incorporate the mark ALSTOM. Annex 5 to the Complaint consists of Whois extracts of the domain names. All of the domain names referred to are redirected to the ALSTOM group website at "www.alstom.com".

On March 12, 2026, ten days after registration of the disputed domain name, lawyers for the Complainant emailed the Registrar for the disputed domain name pointing out that the disputed domain name had been registered in the name of an entity on an anonymous basis through the Registrar, that it reproduced the Complainant's trade marks ALSTOM and that access to the web page accessed by the disputed domain name was cut off. It requested the domain name holder's contact information. A copy of the email is exhibited at Annex 7 to the Complaint. A further email in similar terms was sent to the Respondent. No response to the emails have been received.

Nothing further is known about the Respondent and the disputed domain name resolves to an inactive page.

In the absence of a Response the Panel finds that the evidence adduced by the Complainant to be true.

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 ;

- i. The disputed domain name is confusingly similar to the Complainant's trade marks ALSTOM.
- ii. There is no evidence that the Respondent has any rights or legitimate interests in respect of the disputed domain name.
- iii. The disputed domain name was registered and is being used in bad faith. The Complainant relies upon the well-known character of the name ALSTOM, the fact that the disputed domain name is not being used in relation to a bona fide offering of goods and services, and that the Respondent has attempted to conceal his identity.

B. Respondent

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

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 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 entirety of 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 3.1](#), 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, panels have recognized that proving that 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 3.1](#), 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 finds that there is no evidence of a legitimate non-commercial or fair use of the disputed domain name. The Respondent is not commonly known by the disputed domain name. The Complainant has not authorized, licensed or permitted the Respondent to use a domain name incorporating its trade mark ALSTOM.

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 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 Panel finds that given the worldwide trading activities of the Complainant using the mark ALSTOM and its extensive international registration of the trade mark ALSTOM the Respondent would have been aware of the Complainant's trade mark rights when it registered the disputed domain name.

The Complainant draws attention to a number of earlier WIPO UDRP decisions in which it was successful in establishing bad faith. In particular the Complainant relies upon *Alstom SA and General Electric Company v Sichuan Electricity Transmission and Distribution Engineering*, WIPO Case No. [DCO2016-0032](#) where the panel found bad faith in respect of the domain name <gecalsthom.co> on the basis that the well-known trade marks ALSTOM had been existing for a long time and that the Respondent knew or should have known that the disputed domain name included the Complainant's trade mark ALSTOM.

In the Panel's view it is also material that the disputed domain name is virtually identical to and confusingly similar to the Complainant's domain names <alstomgroup.com> and <alstomsgroup.com> which were registered before the disputed domain name.

This Panel takes into account the failure of the Respondent to reply to the cease-and-desist letter which was sent by email to a known address and the fact that the disputed domain name is not being used in relation to a bona fide offering of goods or services by the Respondent. There is no evidence that the disputed domain name is being actively used by the Respondent.

Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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 <alstomgroups.cam> be transferred to the Complainant.

/Clive Duncan Thorne/

Clive Duncan Thorne

Sole Panelist

Date: May 11, 2026