

ADMINISTRATIVE PANEL DECISION

ALSTOM v. Kristy Erhardt

Case No. D2026-1862

1. The Parties

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

The Respondent is Kristy Erhardt, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <alstomng.com> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 30, 2026. On April 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 30, 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 (Data redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 1, 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 May 4, 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 May 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 29, 2026.

The Center appointed Estela Mariel de Luca as the sole panelist in this matter on June 4, 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 is a French company founded in 1928, active in the fields of power generation, power transmission and rail infrastructure. It develops and markets a comprehensive range of systems, equipment and services for the railway industry and conducts business worldwide, with presence in the United States, Nigeria, France, Netherlands (Kingdom of the) and Germany.

The Complainant is the owner of various trademark registrations including:

- United States trademark registration No. 4570546 ALSTOM, registered on July 22, 2014, in international classes 7, 9, 12, 35, 37, 39, and 42;
- International trademark registration No. 706360 **ALSTOM**, registered on August 28, 1998, in international classes 1, 2, 4, 6, 7, 9, 11, 12, 13, 16, 17, 19, 24, 35, 36, 37, 38, 39, 40, 41, and 42, notably designating several jurisdictions;
- Nigerian trademark registrations No. 040333 and 040334 ALSTOM, registered on July 5, 2021, in international classes 9, 12, 37 and 42;
- French trademark registration No. 98727757 **ALSTOM**, registered on April 10, 1988, in international classes 6, 7, 9, 11, 12, 19, 37, 39, 40, and 42; and
- European Union trademark Registration No. 000948729 ALSTOM, registered on August 8, 2001, in international classes 1, 2, 6, 7, 9, 11, 12, 13, 16, 17, 19, 24, 35, 36, 37, 38, 39, 40, 41 and 42.

The Complainant is also the registrant of numerous domain names under various generic and country code Top Level Domains (“TLDs”) that reflect its trademark, such as:

<alstom.com> registered since January 10, 1998;
<alstomusa.com> registered since August 10, 2020;
<alstom.net> registered since April 1, 2000;
<alstom.com.uk> registered since June 15, 1998; and
<alstom.cn> registered since July 7, 2004.

The disputed domain name was registered on April 4, 2026. The Complainant submitted evidence showing that the website associated with the disputed domain name initially displayed a login page featuring the ALSTOM logo. The evidence further shows that, following the filing of the Complaint, the content of the website was modified to display a login page with the designation “ALO NIGERIA”.

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 the disputed domain name wholly incorporates its ALSTOM trademark. The Complainant further submits that the letters "ng" are perceived by the Internet users as an abbreviation for Nigeria and corresponds to the country code Top-Level Domain ("ccTLD") for that country. The Complainant argues that the ".com" generic Top-Level Domain ("gTLD") should be disregarded when assessing identity or confusing similarity between the disputed domain name and the Complainant's trademark.

The Complainant also cites several prior UDRP decisions in which the ALSTOM name was recognized as being well known.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name. According to the Complainant, the Respondent is not affiliated with the Complainant and has not been authorized, licensed, or otherwise permitted to register or use the ALSTOM trademark. The Complainant also submits that there is no evidence that the Respondent is commonly known by the disputed domain name.

The Complainant submits that the disputed domain name was registered and is being used in bad faith, as it wholly incorporates the well-known ALSTOM trademark and was registered long after the Complainant acquired trademark rights, making it unlikely that the Respondent was not aware of the Complainant's activities or its trademark at the time of registration.

The Complainant further states that the Respondent remained silent and did not reply to its communications, provided only limited contact information in connection with the registration of the disputed domain name, and reproduced the Complainant's trademark and logo on a website displaying a login page, while the browser tab displayed the title "Alstom – Smart Investment Platform".

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 carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or 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.

The Respondent's default in the case at hand does not automatically result in a decision in favor of the Complainant, however, paragraph 5(f) of the Rules provides that if the Respondent does not submit a Response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the Complaint.

Further, according to paragraph 14(b) of the Rules, the Panel may draw such inferences from the Respondent's failure to submit a Response as it considers appropriate.

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. Although the addition of the geographical abbreviation "ng", corresponding to the country code for Nigeria, may bear on the assessment of the second and third elements, the ALSTOM trademark remains clearly recognizable within the disputed domain name. The Panel therefore finds that the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.1](#), sections 1.7 and 1.8.

Further, it is well established that the gTLD ".com" may be disregarded for the purpose of assessing confusing similarity under the first element of the Policy. [WIPO Overview 3.1](#), section 1.11.1.

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.

It results from the evidence supporting the Complaint that the disputed domain name resolved to a website displaying a login page featuring the Complainant's ALSTOM trademark and logo without authorization. In addition, there is no evidence that the Respondent has been commonly known by the disputed domain name, that it has used the disputed domain name in connection with a bona fide offering of goods or services, or that it has made a legitimate noncommercial or fair use of the disputed domain name.

Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

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.

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.

The evidence demonstrates that the Complainant's rights in the ALSTOM trademark predate the registration of the disputed domain name. The Panel further notes that the addition of the geographical abbreviation "ng", which corresponds to the country code for Nigeria, is not arbitrary in the circumstances of this proceeding. Given the Complainant's trademark rights and established business presence in Nigeria, the Panel finds that the addition of such term supports an inference that the Respondent was aware of the Complainant and specifically targeted the Complainant when registering the disputed domain name.

The Panel further notes that the registration of a domain name that is identical or confusingly similar to a well-known trademark by an unaffiliated entity may by itself create a presumption of bad faith. [WIPO Overview 3.1](#), section 3.1.4.

Panels have held that the use of a domain name for illegitimate activity, such as impersonation or passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

Having reviewed the record, the Panel notes that the evidence submitted by the Complainant shows that the website associated with the disputed domain name initially displayed a login page prominently featuring the Complainant's ALSTOM trademark and logo and bearing the title "Alstom -Smart Investment Platform". The Panel considers that such use was likely to create the misleading impression that the website was operated by, affiliated with, or authorized by the Complainant. In these circumstances, the Panel finds that the Respondent intentionally sought to take advantage of the goodwill associated with the Complainant's mark by creating a likelihood of confusion among Internet users, which constitutes evidence of bad faith under paragraph 4(b)(iv) of 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 <alstomng.com> be transferred to the Complainant.

/Estela Mariel de Luca/

Estela Mariel de Luca

Sole Panelist

Date: June 18, 2026