ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

The Southern Company v. Name Redacted
Case No. D2026-2221

1. The Parties

The Complainant is The Southern Company, United States of America ("United States"), represented by Allure Security Technology, Inc., United States.

The Respondent is Name Redacted.[1]

2. The Domain Name and Registrar

The disputed domain name <southernncompany.com> is registered with pair Networks, Inc. d/b/a pair Domains (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 22, 2026. On May 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 27, 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 (GDPR Redacted, SOUTHERN COMPANY) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 27, 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 amended Complaints on May 27 and June 1, 2026.

The Center verified that the Complaint together with the amended Complaints satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for

[1] The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent's name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. D2009-1788.

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 June 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 23, 2026.

The Center appointed Kathryn Lee as the sole panelist in this matter on June 25, 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 publicly traded Fortune 500 gas and electric utility holding company headquartered in United States. Through its subsidiaries, the Complainant services more than 9 million gas and electric utility customers with 27,000 miles of transmission lines. The Complainant owns the following trademark registrations for the SOUTHERN COMPANY mark in the United States as follows: Trademark Registration Number 2,163,676 registered on June 9, 1998; Trademark Registration Number 2,174,591 registered on July 21, 1998; and Trademark Registration Number 2,174,593 registered on July 21, 1998.

The disputed domain name was registered on May 17, 2026, and does not resolve to any website with active content. The disputed domain name has been configured with mail exchange (“MX”) and Sender Policy Framework (“SPF”) records.

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 is confusingly similar to the SOUTHERN COMPANY mark in which it has rights, as the disputed domain incorporates this mark in its entirety and differs only by the addition of the letter “n”. The Complainant also contends that this is a case of typosquatting.

The Complainant also contends that the Respondent has no rights or legitimate interests in the disputed domain name and confirms that it has not authorized or licensed rights to the Respondent in any respect. The Complainant further contends that there is no evidence of the Respondent’s use of, or demonstrable preparations to use, the disputed domain name in providing any bona fide offering of goods or services, nor any evidence that the Respondent has been commonly known by the disputed domain name or is making legitimate noncommercial or fair use of it.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. Specifically, the Complainant contends that given the Complainant’s use of the SOUTHERN COMPANY mark since 1976 and its extensive commercial presence and reputation in the energy sector, it is implausible that the Respondent selected the disputed domain name independently or without knowledge of the Complainant. The Complainant also contends that the disputed domain name is configured with MX and SPF records, enabling it to send and/or receive emails, and that this creates a heightened risk of deceptive email activity, including phishing, business email compromise, and other forms of fraud that rely upon confusion with a trademark owner’s identity. Moreover, the Complainant contends that the Respondent’s use of false registrant details impersonating the Complainant and an employee of the Complainant further support a finding of bad faith.

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 Complainant's mark is reproduced within the disputed domain name, which differs only by the addition of another letter "n". As this additional letter appears immediately after another letter "n" and is placed in the middle of the disputed domain name, the difference is not readily noticeable to a casual Internet user. Accordingly, the Panel finds that the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Further, previous UDRP panels have concluded that a domain name that consists of a variation of a trademark, such as a common, obvious, or intentional misspelling, is considered confusingly similar to the relevant trademark for the purposes of the first element and is referred to as typosquatting. WIPO Overview 3.1, section 1.9. Accordingly, the disputed domain name should be viewed as typosquatting and confusingly similar to the Complainant's mark for the purposes of the Policy.

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 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.

First, panels have found that the Complainant's SOUTHERN COMPANY mark is widely known and directly associated with the Complainant's activities (see, for example, *The Southern Company v. John Doe*, WIPO Decision No. 2025-3546).

In the present case, the Panel notes that the disputed domain name is identical to the Complainant's mark with the addition of an extra letter "n". Given the reputation of the Complainant's mark, the Panel finds that this constitutes typosquatting. Absent any response from the Respondent, the Panel concludes that the Respondent likely registered the disputed domain name intending to target the Complainant and its mark for some fraudulent purpose.

There is no evidence that the disputed domain name has ever been used. Nonetheless, panels have found that the non-use of a domain name including a blank or "coming soon" page 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 reputation of the Complainant's trademark, the failure of the Respondent to submit a response, the typosquatted nature of the disputed domain name which is nearly identical to the Complainant's mark, and the Respondent's use of registration details impersonating the Complainant and an employee of the Complainant, 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 <southernncompany.com> be transferred to the Complainant.

/Kathryn Lee/
Kathryn Lee
Sole Panelist
Date: July 6, 2026