

ADMINISTRATIVE PANEL DECISION

Alstom v. Vukani Veekay, Alstom Rolling
Case No. D2026-2879

1. The Parties

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

The Respondent is Vukani Veekay, Alstom Rolling, South Africa.

2. The Domain Name and Registrar

The disputed domain name <alstomrolling.com> is registered with Squarespace Domains II LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 1, 2026. On July 2, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 2, 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 July 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 7, 2026.

The Center appointed Peter Kružliak as the sole panelist in this matter on August 24, 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 a presence in South Africa, the United Kingdom, Sweden, France, the Netherlands (Kingdom of the), Germany, United States of America, and Canada.

The Complainant is the owner of many trademark registrations globally, including:

- South African trademark No. 1998/16094 ALSTOM (word), registered on September 10, 1998, for goods in International Class 12;
- South African trademark No. 1998/16115 ALSTOM (combined of blue and red representation) registered on September 10, 1998, for goods in in International Class 12;
- South African trademark No. 2018/33282 ALSTOM (combined of black and white representation), registered on November 8, 2018, for goods in International Class 12;

(the “ALSTOM trademark”).

The Complainant is also the registrant of numerous domain names under various generic and country code Top Level Domains (“TLDs”) that reflect the ALSTOM trademark, such as: <alstom.sa>, <alstom.com>, <alstom.net>, <alstom.co.uk>, and <alstom.cn>. Furthermore, the record shows that the company is a part of the joint venture Alstom Rolling Stock South Africa in South Africa since 2014.

The Respondent is purportedly located in South Africa. The disputed domain name was registered on June 2, 2026, and based on the available record resolves to a “coming soon” website.

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 <alstomrolling.com> is confusingly similar to their numerous trademarks ALSTOM, since it is the combination of the elements “Alstom” (which reproduces the Complainant’s prior marks), followed by the word “rolling”, which may refer to the term “rolling stock” relating to locomotives, carriages, wagons, or other vehicles used on a railway, and of the suffix “.com” indicating that the domain name is registered in the “.com” gTLD.

Furthermore, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name <alstomrolling.com>, because the Respondent is not affiliated in any way to the Complainant, the Complainant has not authorized, licensed or permitted the Respondent to register or use a domain name incorporating the ALSTOM trademark, the Respondent has not applied for or obtained any trademark registrations related to the sign ALSTOM and is not commonly known under the name “Alstom” and finally based on the fact that the exact name of the Complainant’s joint-venture is “ALSTOM Rolling Stock SA Pty Ltd” and not the truncated name “Alstom Rolling”, there is every reason to think that the name used for the registration of the disputed domain name is fake or was usurped.

And finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith because: the disputed domain name incontestably reproduces the Complainant’s trademarks, and was acquired long after the Complainant’s marks became well-known; the Respondent remained silent and did not reply to the Complainant’s claim; the Respondent pretends to belong to an entity named “ALSTOM Rolling”, in Durban, South Africa; and the Respondent does not use the disputed domain name in relation to a bona fide offering of goods or services.

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 the ALSTOM trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the ALSTOM trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the ALSTOM trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, "rolling", 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 ALSTOM trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel further notes that the TLD of the disputed domain name - ".com" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 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 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 first notes that the present use of the disputed domain name resolving to a "coming soon" page per se does not qualify as offering of goods and service and the Respondent did not provide any evidence of demonstrable preparations to use the domain name in connection with a bona fide offering of goods or services.

Furthermore, the available record does not show any trademark registrations or earlier relevant rights of the Respondent corresponding to the disputed domain name <alstomrolling.com>, nor facts to indicate that the Respondent is commonly known by the disputed domain name.

Finally, the Panel was not able to identify any reason why the present use of the disputed domain name by the Respondent should be considered as legitimate noncommercial or fair use. Per the available record (not rebutted by the Respondent), given the worldwide presence of the Complainant and since the other term in the disputed domain name “rolling” was demonstrably used by the Complainant within its commercial activities, the disputed domain name carries a risk of implied affiliation with the Complainant, which prevents finding of any legitimate noncommercial or fair use on the part of the Respondent. [WIPO Overview 3.1](#), section 2.5.1. Furthermore, the Respondent’s use of the organization name “Alstom Rolling” when registering the disputed domain name does not confer any rights or legitimate interests on the Respondent in the circumstances of this case.

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.

In the present case, the Panel first notes that that given the wide knowledge of the Complainant and its wide presence, it is highly unlikely that the Respondent was unaware of the Complainant and its ALSTOM trademark when registering the disputed domain name. Furthermore, the Panel points to the term “rolling” in the disputed domain name, which was demonstrably used by the Complainant within its commercial activities in South Africa, where the Respondent is residing. As a result, it is not conceivable that the Respondent registered the disputed domain name without knowledge of the Complainant’s ALSTOM trademark, which supports a finding of bad faith registration.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes (i) the distinctiveness of the Complainant’s ALSTOM trademark and (ii) the composition of the disputed domain name, as well as the failure of the Respondent to (iii) file a relevant response within the required due date or (iv) provide any evidence of actual or contemplated good-faith use, 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 disputed domain name was registered and is being used in bad faith, and 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 <alstomrolling.com> be transferred to the Complainant.

/Peter Kružliak/

Peter Kružliak

Sole Panelist

Date: September 7, 2026