

ADMINISTRATIVE PANEL DECISION

Westinghouse Electric & Manufacturing Company, LLC v. liu jun
Case No. D2026-3292

1. The Parties

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

Respondent is liu jun, United States.

2. The Domain Name and Registrar

The disputed domain name <westinghouseelectriccompany.com> (the "Domain Name") is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 24, 2026. On July 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On July 28, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Redacted for Privacy / Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to Complainant on July 29, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on July 30, 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 Respondent of the Complaint, and the proceedings commenced on August 3, 2026. In accordance with the Rules, paragraph 5, the due date for the Response was August 23, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on August 24, 2026.

The Center appointed John C. McElwaine as the sole panelist in this matter on September 1, 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

Complainant is a United States-based company in the electrical equipment and power generation industry, organized as a limited liability company under the laws of the United States and located in Canonsburg, Pennsylvania. The “WESTINGHOUSE” name traces its origins to 1886 and has been used continuously in commerce for more than one hundred years in connection with a broad range of consumer and industrial goods, including appliances, electronics, lighting, and power generation equipment. Relevant to this matter, Complainant owns the following trademark registrations for the mark WESTINGHOUSE:

- WESTINGHOUSE, United States, Registration No. 299083, registered November 22, 1932, in International Classes 7, 9, 11, 12, and 15;
- WESTINGHOUSE, United Kingdom (“U.K.”), Registration No. UK00000570694, registered August 4, 1936, in International Class 11; and
- WESTINGHOUSE, European Union, Registration No. 002995363, registered February 3, 2005, in International Classes 7, 8, 9, 10, 11, and 14.

These registered trademark rights are referred to herein as the “WESTINGHOUSE Mark”.

The Domain Name was registered on July 28, 2025. The Domain Name resolves to a website presented under the heading “Westinghouse Electric Company,” reproducing Complainant’s WESTINGHOUSE branding and styled in Complainant’s green and dark color scheme, which purports to offer generators, “nuclear solutions,” and lighting products, and which has a company history, a customer testimonial credited to “Some Happy Customer,” and a Frequently Asked Questions section.

5. Parties’ Contentions

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Complainant is the owner of an extensive international portfolio of registered trademarks for the WESTINGHOUSE Mark, the oldest of the example registrations pre-dating the registration of the Domain Name by approximately 93 years. The WESTINGHOUSE name has been used continuously in commerce since 1886 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.

With respect to the first element of the Policy, Complainant contends that the Domain Name is identical or confusingly similar to a trademark in which Complainant has rights. Complainant asserts that the Domain Name incorporates the WESTINGHOUSE Mark in its entirety, with the addition only of the descriptive terms “electric” and “company,” which correspond to Complainant’s own historic corporate name and core business and reinforce rather than diminish the impression of a connection with Complainant. Complainant argues that the addition of such descriptive terms does not prevent a finding of confusing similarity and that the generic Top-Level Domain “.com” is to be disregarded for this purpose.

With respect to the second element of the Policy, Complainant contends that Respondent has no rights or legitimate interests in respect of the Domain Name. Complainant states that Respondent is not commonly known by the Domain Name, is not a licensee of Complainant, and has not received any permission, consent, or authorization to use the WESTINGHOUSE Mark, and that there is no evidence that Respondent owns any trademark rights in, or has carried on any legitimate business under, the name WESTINGHOUSE

or WESTINGHOUSE ELECTRIC COMPANY. Complainant argues that the Domain Name is being used for a website that falsely suggests affiliation with Complainant by reproducing Complainant's branding and color scheme and purporting to offer products corresponding to Complainant's own product lines, and that such use, consisting substantially of AI-generated content deployed as a "splog" or spam blog to exploit the attractive force of the WESTINGHOUSE Mark, cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

With respect to the third element of the Policy, Complainant contends that the Domain Name was registered and is being used in bad faith. Complainant asserts that the WESTINGHOUSE Mark is well known, that Respondent knew or should have known of Complainant's rights at the time of registration, and that the mere registration of a domain name incorporating a well-known mark together with a descriptive term gives rise to a presumption of bad faith. Complainant further asserts that Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website by creating a likelihood of confusion with the WESTINGHOUSE Mark as to the source, sponsorship, affiliation, or endorsement of the website, and that Respondent cannot disclaim responsibility for the AI-generated content appearing on that website.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

Even though Respondent has defaulted, paragraph 4 of the Policy requires that, in order to succeed in this UDRP proceeding, Complainant must still prove its assertions with evidence demonstrating:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

Because of Respondent's default, the Panel may accept as true the reasonable factual allegations stated within the Complaint and may draw appropriate inferences therefrom. See *St. Tropez Acquisition Co. Limited v. AnonymousSpeech LLC and Global House Inc.*, WIPO Case No. [D2009-1779](#); *Bjorn Kassoe Andersen v. Direction International*, WIPO Case No. [D2007-0605](#); see also paragraph 5(f) of the Rules ("If a Respondent does not submit a response, in the absence of exceptional circumstances, the Panel shall decide the dispute based upon the complaint"). Having considered the Complaint, the Policy, the Rules, the Supplemental Rules, and applicable principles of law, the Panel's findings on each of the above-cited elements are as follows.

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 Complainant's trademark and the Domain Name. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

Complainant has established its rights in the WESTINGHOUSE Mark through its trademark registrations, including U.S. Registration No. 299083, U.K. Registration No. UK00000570694, and European Union Registration No. 002995363. Ownership of a nationally or regionally registered trademark is generally sufficient to establish a complainant's rights in the mark under the Policy, irrespective of the jurisdiction of registration or the extent of the complainant's geographic business. [WIPO Overview 3.1](#), section 1.2.1.

The Panel further notes that the WESTINGHOUSE Mark, used continuously in commerce for well over a century, is well known, if not famous. This reputation, while most directly relevant to the second and third elements, confirms the strength of the mark in which Complainant holds rights.

Here, the Domain Name incorporates the WESTINGHOUSE Mark in its entirety, adding only the descriptive terms “electric” and “company.” The WESTINGHOUSE Mark is clearly recognizable within the Domain Name, and the addition of such descriptive terms does not prevent a finding of confusing similarity for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

Consequently, the Panel finds that the Domain Name is confusingly similar to the WESTINGHOUSE Mark in which Complainant owns valid trademark rights. Complainant has satisfied paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances in which a respondent may demonstrate rights or legitimate interests in a disputed domain name.

Complainant must make a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name, after which the burden of production shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests (although the burden of proof always remains on Complainant). See [WIPO Overview 3.1](#), section 2.1. Here, Complainant has stated that it has not licensed or otherwise authorized Respondent to use the WESTINGHOUSE Mark or to register domain names incorporating the mark.

There is no evidence that Respondent has been commonly known by the Domain Name or that Respondent has acquired any trademark rights in the term “westinghouseelectriccompany.” Respondent has not come forward with an explanation for choosing the Domain Name, which consists of Complainant’s well-known WESTINGHOUSE Mark combined with terms descriptive of Complainant’s own business. Having reviewed the available record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent has not rebutted Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy¹ or otherwise.

The record instead demonstrates that Respondent has used the Domain Name in a manner that negates any claim to rights or legitimate interests. The Domain Name resolves to a website that presents itself under the heading “Westinghouse Electric Company,” reproduces Complainant’s branding and color scheme, and purports to offer generators, “nuclear solutions,” and lighting products corresponding to Complainant’s own product lines, thereby falsely suggesting an affiliation with Complainant that does not exist. A respondent’s use of a domain name will not be considered fair if it falsely suggests affiliation with the trademark owner. [WIPO Overview 3.1](#), section 2.5. Such use, which consists substantially of AI-generated content deployed as a “splog” or spam blog to exploit the attractive force of the WESTINGHOUSE Mark, is neither a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy nor a legitimate noncommercial or fair use under paragraph 4(c)(iii). See *Fiberweb Geosynthetics Limited v. osa bun/ Whois Privacy Shield Services*, WIPO Case No. [D2015-0048](#) (“[r]espondent’s use of the [d]omain [n]ame in connection with a ‘splog’ (i.e., a spam blog which the author uses to promote affiliated websites to increase the search engine ranking or to sell links or ads) is not a bona fide offering of goods or services under the Policy”); *Richemont Holdings AG and Richemont Australia Pty Limited v. Robert Natera*, WIPO Case No. [D2011-0238](#) (“the prominent claim that the [r]espondent’s website is a blog site for the ‘Richemont Group’, coupled with the prominent use of

¹The Policy, paragraph 4(c), provides a non-exhaustive list of circumstances in which a respondent could demonstrate rights or legitimate interests in a disputed domain name: “(i) before any notice to you of the dispute, your use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or (ii) you (as an individual, business, or other organization) have been commonly known by the domain name, even if you have acquired no trademark or service mark rights; or (iii) you are making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.”

world famous marks owned by related companies of the [c]omplainants, provides strong prima facie evidence of a bad faith attempt by the [r]espondent to create the false impression that the [r]espondent's website is somehow associated with the [c]omplainants or the CFR Group"). Moreover, Respondent cannot disclaim responsibility for content, including AI-generated content, appearing on the website associated with the Domain Name. [WIPO Overview 3.1](#), section 3.5.

The Panel concludes that Complainant's un rebutted evidence establishes that Respondent has no rights or legitimate interests in the Domain Name. The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, Complainant must show that Respondent registered and is using the Domain Name in bad faith. A non-exhaustive list of factors constituting bad faith registration and use is set out in paragraph 4(b) of the Policy.

As found above, the WESTINGHOUSE Mark is well known, if not famous, having been used continuously in commerce since 1886 and having achieved a high degree of recognition in the United States and internationally. Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly a domain name incorporating the mark plus a descriptive term) to a well-known trademark can by itself create a presumption of bad faith. [WIPO Overview 3.1](#), section 3.1.4. The Domain Name reproduces the WESTINGHOUSE Mark in its entirety, adding only terms descriptive of Complainant's own business, and is therefore precisely the type of registration described in section 3.1.4.

The Panel further finds that Respondent knew or should have known of Complainant's rights at the time of registration. Noting the near-instantaneous and global reach of the Internet, and particularly where a complainant's mark is widely known, panels have been prepared to infer that a respondent knew, or should have known, that its registration would be identical or confusingly similar to the complainant's mark. [WIPO Overview 3.1](#), section 3.2.2. Given the long-standing and widespread recognition of the WESTINGHOUSE Mark, and the fact that the content of Respondent's website copies Complainant's branding and purports to offer Complainant's own categories of products, Respondent cannot credibly claim to have been unaware of the WESTINGHOUSE Mark, and the Panel finds that the Domain Name was registered with Complainant's mark firmly in mind and with the intention of exploiting it.

With respect to use, Respondent has, by operating a website that reproduces Complainant's branding and offers products corresponding to Complainant's product lines, intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the WESTINGHOUSE Mark as to the source, sponsorship, affiliation, or endorsement of the website. This constitutes bad faith use within the meaning of paragraph 4(b)(iv) of the Policy. See also *Richemont Holdings AG and Richemont Australia Pty Limited v. Robert Natera*, WIPO Case No. [D2011-0238](#) (noting that nonsensical purported content on the respondent's website, and the failure to provide any effective contact address, among other facts, left "no room for doubt that the [r]espondent's intention has been to deliberately mislead Internet users into visiting the [r]espondent's website in the belief that they will arrive at a website operated by or associated with the [c]omplainants"). The deployment of AI-generated content modelled on Complainant's brand does not assist Respondent; a respondent cannot disclaim responsibility for content appearing on the website associated with its domain name, and the fact that a respondent may not have directly profited would not by itself prevent a finding of bad faith. [WIPO Overview 3.1](#), section 3.5. With no response from Respondent, Complainant's account of Respondent's conduct is undisputed.

For these reasons, the Panel finds that Respondent registered and is using the Domain Name in bad faith under paragraph 4(a)(iii) of the Policy. The Panel finds that 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 Domain Name, <westinghouseelectriccompany.com>, be transferred to Complainant.

/John C McElwaine/

John C McElwaine

Sole Panelist

Date: September 7, 2026