

ADMINISTRATIVE PANEL DECISION

Avions de Transport Régional GIE v. arm kmc
Case No. D2026-3468

1. The Parties

The Complainant is Avions de Transport Régional GIE, France, represented by DLA Piper Luxembourg, Luxembourg.

The Respondent is arm kmc, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <atr-arcraft.com> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 5, 2026. On August 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 5, 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 August 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 7, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 11, 2026.

The Center appointed Miguel B. O’Farrell as the sole panelist in this matter on September 16, 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 Economic Interest Grouping (groupement d'intérêt économique) founded in 1981 as a joint partnership between the French-based aviation conglomerate Airbus Group and the Italian multinational aerospace company Leonardo S.p.A. The Complainant is a world leading manufacturer of regional aircrafts, with their ATR-42 and ATR-72 being the best-selling aircrafts in the less than 90-seat market segment.

The Complainant has a global presence with offices in Toulouse, France, Miami, United States of America, Singapore, Beijing, China and Tokyo, Japan, as well as additional customer offices in Bangalore, India, São Paulo, Brazil, and Johannesburg, South Africa. In its 44 years of history the Complainant has sold over 1,700 aircrafts to over 200 airlines in more than 100 countries.

The Complainant is the exclusive owner of over 80 trademarks registered around the world, including, but not limited to, Brazil, Canada, the European Union, India, Mexico, New Zealand, Singapore, the United Kingdom, and the United States of America, that protect the sign “ATR”, either as a standalone mark or accompanied by other word or figurative elements, including the following:

United States of America Trademark Registration No. 2440292 for ATR (word), filed on September 22, 1999, and registered on April 3, 2001 in class 12;

United Kingdom Trademark Registration No. UK00904956959 for ATR (word), filed on March 14, 2006, and registered on May 21, 2008 in classes 12, 16 and 39;

European Union Trademark Registration No. 004956959 for ATR (word), filed on March 14, 2006, and registered on May 21, 2008 in classes 12, 16 and 39; and

International Trademark Registration No. 1282453 for ATR (figurative), registered on October 2, 2015, in classes 12, 16 and 39.

Also, the Complainant owns several domain names including its trademark ATR, such as <atr-aircraft.com> and others.

The disputed domain name was registered on July 16, 2026, and does not host any website, but only an index of domain names, none of them—as indicated by the Complainant—related to “ATR”.

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 Complainant's ATR trademark. The Respondent has no rights or legitimate interests in respect of the disputed domain name. Consequently, the disputed domain name was registered and is being used in bad faith.

Therefore, the Complainant requests the Panel to issue a decision ordering the transfer of the disputed domain name to the Complainant.

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.

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

B. Rights or Legitimate Interests

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.

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 Panel is satisfied that the Respondent must have been aware of the Complainant's well known ATR trademarks when it registered the disputed domain name on July 16, 2026.

In accordance with section 3.1.4 of the [WIPO Overview 3.1](#), the Panel considers that the inclusion of the Complainant's widely known trademark in the disputed domain name, by the Respondent, who has no relationship with the Complainant, creates a presumption of bad faith registration.

The Respondent, when registering the disputed domain name, targeted the Complainant's business and its trademarks, with the intention to confuse Internet users and capitalize on the fame of the Complainant's ATR trademarks for its own benefit.

The inclusion of the term "arcraft", almost identical to the word "aircraft" related to the Complainant's business and domain name, in the disputed domain name only tends to strengthen the confusion of Internet consumers leading them to think that the website to which the disputed domain name resolves belongs to the Complainant, which is not the case.

The fact that there is an absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name is also a significant factor that contributes to the finding that the disputed domain name was registered in bad faith (as stated in section 3.2.1 of the [WIPO Overview 3.1](#)). Noting the discussion above, the passive holding of the disputed domain name does not prevent a finding of bad faith in the circumstances of this case. [WIPO Overview 3.1](#), section 3.3.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <atr-arcraft.com> be transferred to the Complainant.

/Miguel B. O'Farrell/

Miguel B. O'Farrell

Sole Panelist

Date: September 30, 2026