ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
ALSTOM v. Whois Privacy Protection Foundation
Case No. D2026-4073

1. The Parties

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

The Respondent is Whois Privacy Protection Foundation, Netherlands (Kingdom of the).

2. The Domain Name and Registrar

The disputed domain name <be-alstom.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 September 10, 2026. On September 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 10, 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 September 18, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 9, 2026.

The Center appointed Simone Huser as the sole panelist in this matter on October 14, 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

As stated in the Complaint, the Complainant is a French company created in 1928, and a global leader in the world of power generation, power transmission and rail infrastructure, employing around 36,000 professionals in more than 60 countries.

The Complainant holds, inter alia, the domain name <alstom.com>, which hosts its main website.

The Complainant owns trademark registrations in several jurisdictions, including:

- ALSTOM, European Union Trademark Registration No. 000948729, registered on August 8, 2001, in International Classes 6, 7, 9, 11, 12, 16, 19, 24, 35, 36, 37, 38, 39, 40, 41, and 42; and

- **ALSTOM** , International Trademark Registration No. 706292, 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.

The disputed domain name was registered on August 27, 2026.

According to the evidence submitted with the Complaint, the disputed domain name resolved to a blank page.

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 as follows:

The disputed domain name is confusingly similar to the registered trademark in which the Complainant has rights, because it incorporates the Complainant's mark ALSTOM in its entirety, and only differs by the addition of the term "be" which refers to Belgium.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has no connection or affiliation with the Complainant, and is not commonly known by the disputed domain name.

The disputed domain name reproduces the Complainant's mark and was acquired long after the Complainant's marks became well-known. Further, in view of the well-known character of the Complainant's mark, it is virtually impossible that the Respondent was not aware of the Complainant's activities, at the time it registered the disputed domain name. The Respondent has intentionally attempted to create a likelihood of confusion with the Complainant and its trademarks, and the disputed domain name was registered and is being used in bad faith with the purpose of taking unfair advantage of the Complainant's reputation.

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, "be", 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.

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 disputed domain name incorporates the Complainant's trademark, and there is no evidence of any relationship between the Complainant and the Respondent, nor of any authorization granted by the Complainant to use its trademark in a domain name. Moreover, the disputed domain name which incorporates the entirety of the Complainant's mark and is confusingly similar thereto resolved to a blank page at the time of submitting the Complaint, which does not establish any rights or legitimate interests in the disputed domain name.

In these circumstances, 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.

In the view of the Panel, noting that the Complainant's trademark predates the registration of the disputed domain name and noting the distinctiveness and reputation of the Complainant's trademark, the Complainant's online presence, and the composition of the disputed domain name, it is more likely than not that the Respondent was aware of the Complainant's rights and targeting them when registering the disputed domain name.

The disputed domain name resolves to a website that was inaccessible at the time of submitting the Complaint. Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.1, section 3.3. 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. 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 thus finds that the Complainant has established the third element of the Policy with regard to the disputed domain name.

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 <be-alstom.com> be transferred to the Complainant.

/Simone Huser/
Simone Huser
Sole Panelist
Date: October 26, 2026