

## **ADMINISTRATIVE PANEL DECISION**

Alfa Laval Corporate AB v. Bjorn Andren  
Case No. DAI2025-0014

### **1. The Parties**

The Complainant is Alfa Laval Corporate AB, Sweden, represented by Advokatbyrån Gulliksson AB, Sweden.

The Respondent is Bjorn Andren, Sweden.

### **2. The Domain Name and Registrar**

The disputed domain name <alfalaval.ai> is registered with CloudFlare, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 10, 2025. On April 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 11, 2025, 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 April 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 5, 2025.

The Center appointed Johan Sjöbeck as the sole panelist in this matter on May 9, 2025. 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 company that specializes in the areas of heat transfer, separation, and gas and fluid handling across many industries, including but not limited to the marine, environment, pharma, hygienic, food, and energy sectors.

The Complainant has submitted evidence that it is the owner of a large number of ALFA LAVAL trademark registrations in numerous countries, including:

ALFA LAVAL, Swedish trademark registration with registration number 6089 and registration date December 13, 1897.

ALFA LAVAL, United States Patent and Trademark Office (USPTO) registration number 764251 and registration date February 4, 1964.

ALFA LAVAL, European Union Trade Mark (EUTM) registration number 001918176 and registration date December 3, 2001.

ALFA LAVAL, European Union Trade Mark (EUTM) registration number 003481702 and registration date March 3, 2005.

ALFA LAVAL, European Union Trade Mark (EUTM) registration number 018170847 and registration date June 24, 2020.

The disputed domain name <alfalaval.ai> was registered by the Respondent on February 19, 2025. The disputed domain name resolves to an error 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. The Complainant is a world brand leader within the key technology areas of heat transfer, separation and gas and fluid handling across many industries, including but not limited to the marine, environment, pharma, hygienic, food and energy sectors. The Complainant has developed considerable goodwill and reputation for products and services of very high quality. The Complainant's business was established in 1883 under the company name AB Separator, which was changed to Alfa-Laval AB in 1963.

The Complainant filed its first trademark application for the mark ALFA LAVAL in 1897. Thus, the Complainant has operated under the name ALFA LAVAL as a main trademark and/or company name for a considerable period of time. The trademark, which has been extensively used for more than 100 years, is a well-known mark in Sweden and is therefore entitled to extended protection as a mark with reputation (see e.g., the European Union Trade Mark Regulation (No 2017/1001), article 8(2)(c)). The trademark is protected through over 200 registrations, many of which consist of international registrations with designations worldwide. In addition, the Complainant uses the domain name <alfalaval.com> as its main online marketing portal.

The disputed domain name <alfalaval.ai> incorporates the Complainant's trademark ALFA LAVAL in its entirety. Hence, it must be concluded that the disputed domain name is identical and confusingly similar to the trademark, in which the Complainant has rights.

There is no legitimate relationship or connection between the Complainant and the disputed domain name. As far as the Complainant is aware, the Respondent does not own any trademark registrations or applications for “alfalaval”. The Complainant has found no evidence of the Respondent making use of the domain name for any active, material website. The disputed domain name resolves to a web page that states that “this site can’t be reached”. Such passive holding does not constitute any use of the domain name in connection with a bona fide offering of goods or services and does not confer any rights or legitimate interests in the domain name.

Given the Complainant's extensive and globally recognized rights to the well-known trademark, it holds the exclusive right to use the mark. Thus, the Respondent cannot conduct any activities under the identical name “alfalaval” without infringing the Complainant's trademark rights. Consequently, the Respondent has no rights or legitimate interests in respect of the disputed domain name.

In regard to so-called passive holding of a domain name, such as in the present case, all circumstances in the particular case should be considered when assessing whether the passive holding of the domain name by the Respondent amounts to acting in bad faith. Such circumstances could inter alia include whether the Complainant's trademark has a strong reputation and is widely known, whether the Respondent has taken active steps to conceal its true identity and whether it is not possible to conceive of any plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate. As far as the Complainant is aware, the Respondent, who has taken deliberate steps to hide its identity in the Whois database, is not making, and has not made, use of the disputed domain name for any active material website. There is no evidence that the Respondent registered the disputed domain name with the intention to use it for a legitimate cause.

The Complainant contends that the Respondent did not choose to register the disputed domain name by accident. The Complainant's trademark is particularly well known in Sweden and there is no doubt that the Respondent was aware of the trademark when registering the disputed domain name. The disputed domain name must be considered an obvious case of reputation parasitism of the Complainant's well-known trademark.

The Complainant is of the opinion that the disputed domain name has been registered and used in bad faith because the Respondent has intended to attract for its own gain, Internet users to its own website or online location, by creating a likelihood of confusion with the Complainant's mark and website as to the source sponsorship, affiliation, or endorsement of the Respondent's website or location or of a product or service on the Respondent's website or location.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, the Complainant must prove each of the following:

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

## **A. Identical or Confusingly Similar**

It is well accepted that the first element functions primarily as a standing requirement. The standing test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant is, according to the submitted evidence, the owner of the registered trademark ALFA LAVAL. The disputed domain name <alfalaval.ai> incorporates the Complainant's trademark in its entirety. It is standard practice to disregard the Top-Level Domain ("TLD"), in this case ".ai", under the confusingly similar test.

Having the above in mind, the Panel finds that the disputed domain name is identical to the Complainant's trademark and that the Complainant has proved the requirements under paragraph 4(a)(i) of the Policy.

## **B. Rights or Legitimate Interests**

The Complainant must show that the Respondent has no rights or legitimate interests with respect to the disputed domain name. The Respondent may establish rights or legitimate interests in the disputed domain name by demonstrating in accordance with paragraph 4(c) of the Policy any of the following:

- (i) that the Respondent uses or has made preparations to use the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services prior to the dispute; or
- (ii) that the Respondent is commonly known by the disputed domain name, even if the Respondent has not acquired any trademark rights; or
- (iii) that the Respondent is making a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark.

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. See [WIPO Overview 3.0](#), section 2.1.

From the submitted material in the Complaint and its annexes, it is clear that the Complainant's trademark registration predates the Respondent's registration of the disputed domain name. The Complainant has not licensed, approved, or in any way consented to the Respondent's registration and use of the trademark in the disputed domain name.

The disputed domain name does not resolve to an active website. There is no evidence in this case indicating that the Respondent has used or made any preparations to use the disputed domain name in connection with a bona fide offering of goods or services prior to the dispute. Although given the opportunity, the Respondent has not rebutted the Complainant's prima facie showing. The Respondent has not submitted any evidence indicating that it is the owner of any trademark or that it is commonly known by the disputed domain name. Furthermore, there is no evidence indicating that the Respondent intends to make a legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark. In this regard, the Panel finds that the incorporation of the Complainant's well-known trademark in its entirety in the disputed domain name creates

a significant likelihood of confusion among Internet users as to a possible association with the Complainant. See [WIPO Overview 3.0](#), section 2.5.1.

The Respondent has failed to invoke any circumstances which could demonstrate, pursuant to paragraph 4(c) of the Policy or otherwise, any rights or legitimate interests in respect of the disputed domain name. Thus, there is no evidence in the case that refutes the Complainant's submissions, and the Panel finds that the Complainant has also proven the requirement under paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

Under paragraph 4(b) of the Policy, evidence of bad faith registration and use include without limitation:

- (i) circumstances indicating the disputed domain name was registered or acquired primarily for the purpose of selling, renting, or otherwise transferring the disputed domain name registration to the owner of a trademark or to a competitor of the trademark owner, for valuable consideration in excess of the documented out-of-pocket costs directly related to the disputed domain name; or
- (ii) circumstances indicating that the disputed domain name was registered in order to prevent the owner of a trademark from reflecting the mark in a corresponding disputed domain name, provided there is a pattern of such conduct; or
- (iii) circumstances indicating that the disputed domain name was registered primarily for the purpose of disrupting the business of a competitor; or
- (iv) circumstances indicating that the disputed domain name has intentionally been used in an attempted to attract, for commercial gain, Internet users to the Respondent's website or other online location, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation, or endorsement of the website or location or of a product or service on that website or location.

As mentioned above, the Complainant's trademark registration for ALFA LAVAL, which according to the submitted material, is considered well known, predates the registration of the disputed domain name. This and the fact that the disputed domain name comprises the Complainant's distinctive trademark in its entirety make it inconceivable that the Respondent coincidentally selected the disputed domain name without any knowledge of the Complainant. Hence, the Panel concludes that the Respondent knew or should have known the existence of the Complainant's trademark when registering the disputed domain name.

It has been argued by the Complainant that the Respondent registered the disputed domain name for the purpose of creating a likelihood of confusion, or at least an impression of association, between the Complainant's trademark and the disputed domain name. The evidence submitted by the Complainant demonstrates that the disputed domain name resolves to an error page. Panels have found that non-use of a domain name, including a blank page, does not prevent a finding of bad faith under the doctrine of passive holding. See [WIPO Overview 3.0](#), section 3.3.

Upon consideration of the available record, the Panel notes the composition of the disputed domain name (identical to the Complainant's trademark, which is both distinctive and well known), and that the Respondent has failed to provide any evidence of use, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services or for any other legitimate purpose. Accordingly, under these circumstances, the Panel finds that the Respondent's passive holding of the disputed domain name does not prevent a finding of bad faith.

Hence, in the absence of any evidence to the contrary, the Panel is persuaded on the balance of probabilities that the Respondent registered and used the disputed domain name with the Complainant's trademark and business in mind. Another factor to weigh in the balance is the fact that the Respondent has not responded to the Complainant's contentions.

There is no evidence in this case that refutes the Complainant's submissions, and the Panel concludes that the Complainant has proved the requirements under paragraph 4(a)(iii) of the Policy that the disputed domain name has been registered and used in bad faith.

## **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 <alfalaval.ai> shall be transferred to the Complainant.

*/Johan Sjöbeck/*

**Johan Sjöbeck**

Sole Panelist

Date: May 19, 2025