

ADMINISTRATIVE PANEL DECISION

Alfa Laval Corporate AB v. Reema Walker, alffaleval.com
Case No. D2024-4366

1. The Parties

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

The Respondent is Reema Walker, alffaleval.com, United States of America (“US”).

2. The Domain Name and Registrar

The disputed domain name <alffaleval.com> is registered with Tucows Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 23, 2024. On October 24, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 24, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Redacted for privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 25, 2024, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on October 28, 2024.

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 the Respondent of the Complaint, and the proceedings commenced on October 30, 2024. In accordance with the Rules, paragraph 5, the due date for Response was November 19, 2024. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on November 20, 2024.

The Center appointed Jonathan Turner as the sole panelist in this matter on November 25, 2024. 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 operates a leading global business in the fields of heat transfer, separation, and gas and fluid handling under the mark ALFA LAVAL. It has used this mark for well over 100 years and registered it in stylized lettering in Sweden in 1897. The Complainant is now the proprietor of numerous registrations of ALFA LAVAL as a word mark, including:

US mark no. 0764251 in classes 11, 12, and 28 on February 4, 1964,
Mexico mark no. 508854 in class 11 on October 30, 1995,
Japan mark no. 0004391381 in classes 3-6, 8, 9, and 21 on June 16, 2000.

The Complainant has also registered multiple domain names with “alfalaval” as the second level domain, including <alfalaval.com> which it uses to locate its main online marketing portal.

The disputed domain name was registered on September 27, 2024, and resolves to a parking page with pay-per-click links (“PPC”), advertising unrelated businesses. The Complainant provided evidence of an email communication sent from an email address associated with the disputed domain name purporting to have been sent from the Complainant regarding a change of banking information.

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.

In particular, the Complainant contends that the disputed domain name is almost identical to its ALFA LAVAL mark, that the Respondent has not made any bona fide use of the disputed domain name, and that the Respondent has used the disputed domain name in an attempt to defraud a customer of the Complainant.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Panel finds that the Complainant has registered rights in the mark ALFA LAVAL. The Panel is also satisfied that the disputed domain name is confusingly similar to this mark. The disputed domain name consists of a miss-spelling of the Complainant’s mark followed by the generic Top-Level Domain “.com”.

The first element of the Policy has been established.

B. Rights or Legitimate Interests

The Panel finds on the undisputed evidence that the Respondent has not used or made preparations to use the disputed domain name for any bona fide offering of goods or services or for any legitimate, noncommercial purpose or fair use. The Panel also finds that the Respondent is not commonly known by the disputed domain name or any corresponding name and that it has not been authorized by the Complainant to use any such name. Rather, the choice of disputed domain name and registration details appear purposely designed to falsely suggest an affiliation with the Complainant to defraud customers of the Complainant.

In the circumstances, the Panel is satisfied that the Respondent does not have any rights or legitimate interests in the disputed domain name or any corresponding name. The second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel is satisfied by the undisputed evidence that the Respondent has used the disputed domain name in an attempt to defraud a customer of the Complainant, exploiting its confusing similarity to the Complainant's mark.

The Panel infers from this that the disputed domain name was also registered and is being retained by the Respondent in bad faith. The Panel finds that the Respondent was aware of the Complainant and its rights in the mark when it registered and used the disputed domain name because (i) it is a typosquat of the Complainant's primary mark, and (ii) the Respondent deliberately adopted Complainant's mark and logo when using the disputed domain name in the attempt to defraud the customer of the Complainant.

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 <alfaleval.com> be transferred to the Complainant.

/Jonathan Turner/

Jonathan Turner

Sole Panelist

Date: December 7, 2024