Decision for dispute CAC-UDRP-107378

Case number	CAC-UDRP-107378
Time of filing	2025-03-05 13:32:11
Domain names	suportemittal.com

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	sites produtos

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant owns several trademarks including the wording “MITTAL” in several countries, such as the International trademark MITTAL n° 1198046 registered on December 5, 2013. The Complainant also owns an important domain names portfolio containing the same wording MITTAL, such as the domain name <mittalsteel.com> registered since January 3, 2003.

FACTUAL BACKGROUND

The Complainant is a company specialized in steel producing in the world. The Complainant is the largest steel producing company in the world and is the market leader in steel for use in automotive, construction, household appliances and packaging with 58.1 million tons crude steel made in 2023. It holds sizeable captive supplies of raw materials and operates extensive distribution networks. The Complainant owns several trademarks including the wording “MITTAL” in several countries and several domain names containing the same wording MITTAL. The disputed domain name <suportemittal.com> was registered on March 3, 2025, and resolves to a support page displaying the Complainant’s logo.

The Complainant states that the disputed domain name is confusingly similar to its trademark MITTAL as it is identically contained. The Complainant asserts that the addition of the geographical term “SUPORTE” (Portuguese for “SUPPORT”) is not sufficient to escape the finding that the disputed domain name is confusingly similar to the trademarks. It does not change the overall impression of the designation as being connected to the Complainant’s trademarks. It does not prevent the likelihood of confusion

between the disputed domain name and the Complainant and its trademarks.

Furthermore, the Complainant contends that the addition of the suffix ".COM" does not change the overall impression of the designation as being connected to the Complainant's trademarks. It does not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trademarks and its domain names associated.

Consequently, the disputed domain name is in the view of Complainant confusingly similar to Complainant's trademark MITTAL.

The Complainant asserts that the Respondent is not identified in the Whois database as the disputed domain name. Past panels have held that a Respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name. Thus, the Respondent is in the view of Complainant not known as the disputed domain name.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name and he is not related in any way with the Complainant. The Complainant does not carry out any activity for, nor has any business with the Respondent.

Neither license nor authorization has been granted to the Respondent to make any use of the Complainant's trademark MITTAL, or apply for registration of the disputed domain name by the Complainant.

Finally, the disputed domain name resolves to a support page displaying the Complainant's logo. This page may be used for the purpose of collecting personal information from the Complainant's customers. Complainant states that this use cannot be considered a bona fide offer of services or a legitimate use of domain names, since the website misleads consumers into believing that they are accessing the Complainant's website.

Thus, in accordance with the foregoing, the Complainant contends that the Respondent has no right or legitimate interest in respect of the disputed domain name.

The Complainant contends that the disputed domain name is confusingly similar to its distinctive trademark MITTAL.

The Complainant's trademark MITTAL is widely known and past panels have confirmed the notoriety of the trademark MITTAL.

Given the distinctiveness of the Complainant's trademarks and reputation, it is in the view of Complainant reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's trademark.

Moreover, the disputed domain name resolves to a support page reproducing the Complainant's logo.

Therefore, by using the disputed domain name, the Respondent has in the view of Complainant intentionally attempted to attract, for commercial purposes, internet users to its website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of its website. In addition, the Respondent may collect personal information through this website, including passwords.

Thus, Complainant contends that Respondent has registered the disputed domain name and is using it in bad faith.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

1. Confusingly Similar

The Complainant has rights in the mark by virtue of its registered trademark Mittal.

The disputed domain name incorporates the whole of the Complainant’s Mittal trademark, and adds the word "suporte" at the beginning of the disputed domain name and the TLD suffix ".com".

The Panel agrees with Complainant that the addition of the term "suporte" (Porugiese for “support”) is not sufficient to escape the finding that the disputed domain name is confusingly similar to the trademarks. It does not change the overall impression of the designation as being connected to the Complainant’s trademarks. It does not prevent the likelihood of confusion between the disputed domain name and the Complainant and its trademarks.

The addition of the term "suporte" therefore is not sufficient to avoid the likelihood of confusion with the Complainant’s trademark.

The Panel agrees with the Complainant that the addition of the gTLD ".COM" does not change the overall impression of the designation as being connected to the trademark MITTAL of the Complainant. It does not prevent the likelihood of confusion between the disputed domain name and the Complainant´s trademark. It is the consensus practice of past UDRP panels that TLDs, in this case ".COM", should be disregarded when comparing domain names with trademarks.

Therefore, the Panel finds, that the disputed domain name is confusingly similar to the Complainant’s trademark Mittal.

2. Rights or Legitimate Interests

When a respondent remains completely silent in the face of a prima facie case that it lacks any rights or legitimate interests in respect of a domain name, a complainant is generally deemed to have satisfied paragraph 4(a)(ii) of the Policy. Here the Complainant has presented an abundance of evidence to show that the Respondent has no plausible right or legitimate interest in respect of the disputed domain name and the Panel so finds.

3. Bad Faith

The Panel agrees with Complainant that the Respondent registered the disputed domain name with knowledge of the Complainant's rights. The disputed domain name was registered more than a decade after the registration of the trademarks and two decades after the domain names of the Complainant, and the Complainant used it widely since then.

Given the distinctiveness of the Complainant's trademarks and reputation, it is reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's trademark.

Moreover, the disputed domain name resolves to a support page reproducing the Complainant’s logo.

Therefore, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial purposes, internet users to its website, by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of its website. In addition, the Respondent may collect personal information through this website, including passwords.

On these grounds, the Panel concludes that the Respondent has registered and is using the disputed domain name in bad faith.

For the reasons stated above, it is the decision of this Panel that the Complainant has satisfied all three elements of paragraph 4(a) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **suportemittal.com**: Transferred

PANELLISTS

Name	**Jan Schnedler**

DATE OF PANEL DECISION 2025-04-01

Publish the Decision