Decision for dispute CAC-UDRP-107460

Case number	CAC-UDRP-107460
Time of filing	2025-04-02 11:38:35
Domain names	mital.shop

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Callum Frost

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 is the owner - among others - of the international trademark registration no. 1198046 "MITTAL", granted on December 5, 2013.

FACTUAL BACKGROUND

The Complainant – a company specialized in the production and commercialization of steel all around the world – owns a portfolio of brands including international trademark registration no. 1198046 "MITTAL", granted on December 5, 2013 and the EUTMs registrations nos. 3975786 and 4507471 "MITTAL", registered on August 9, 2004 and June 23, 2005 respectively.

The Respondent has registered the disputed domain name <mital.shop> on March 28, 2025, which, as of this day, resolves to a website where it is offered for sale for almost USD 1.500.

PARTIES CONTENTIONS

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

THE DISPUTED DOMAIN NAME IS IDENTICAL OR CONFUSINGLY SIMILAR TO THE COMPLAINANT`S TRADEMARK

The Panel finds that the disputed domain name is confusingly similar to the trademark “MITTAL” registered by the Complainant, which has proven to have prior rights since 2004.

In particular, the Panel agrees that the mere omission of the letter "T" is not sufficient to avoid the confusing similarity of the disputed domain with the trademark MITTAL and the domain name <mital.com>. In this regard, see, among others, WIPO Case No. D2006-0451, F. Hoffmann-La Roche AG v. Macalve e-dominios S.A.

THE RESPONDENT HAS NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

According to the information provided by the Complainant, the Respondent is not affiliated nor authorized by the Complainant in any way. Likewise, the Complainant neither licensed nor authorized the Respondent to make any use of its trademark “MITTAL”, or to apply for registration of the disputed domain name on behalf of the Complainant. The Complainant does not carry out any activity for, nor has any business with the Respondent.

It is undeniable that the Complainant is only required to make out a prima facie case that the Respondent lacks rights or legitimate interests in respect of the disputed domain name. Once such prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a) (ii) of the Policy.

Given all the above and taken into account the fact that the Respondent did not provide any response within the present proceeding, the Panel accepts the contentions of the Complainant that the Respondent has no such rights or legitimate interests in <mital.com>.

THE DISPUTED DOMAIN NAME HAS BEEN REGISTERED AND IS BEING USED IN BAD FAITH

The Panel finds that the Complainant successfully submitted prima facie evidence that the Respondent has made no use of, or demonstrable preparations to use, the disputed domain name neither in connection with a bona fide offering of goods or services, nor is making a legitimate non-commercial or fair use of the disputed domain name.

In the absence of a response from Callum Frost and given the high reputation of the Complainant and its trademark, the Panel infers that the Respondent had the Complainant's trademarks "MITTAL" in mind when registering the disputed domain name, especially taking into account that <mital.com> redirects to a webpage where it is offered for sale for USD 1.450.

Indeed, the fact that the disputed domain name is not in use but is offered for sale and for an excessive price allows the conclusion that the Respondent is acting in bad faith. This is another indication that the disputed domain name is aimed directly at the Complainant, who is expected to be interested in the disputed domain name and could be prepared to pay such a price to obtain it. This supports the inference that the Respondent acquired the disputed domain name primarily for the purpose of selling it for valuable consideration in excess of its out-of-pocket costs.

Consequently, the Panel believes that the same was registered and is being used in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **mital.shop**: Transferred

PANELLISTS

Name	**Tommaso La Scala**

DATE OF PANEL DECISION 2025-05-05

Publish the Decision