Decision for dispute CAC-UDRP-107496

Case number	CAC-UDRP-107496
Time of filing	2025-04-17 09:54:45
Domain names	arcelormittal.design, arcelormittal.lat

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Forum BlackHat

OTHER LEGAL PROCEEDINGS

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

IDENTIFICATION OF RIGHTS

The Complainant has adduced evidence showing that it is the owner of the international trademark ARCELORMITTAL No. 947686, registered on 3 August 2007 in Nice Classification List classes 6, 7, 9, 12, 19, 21, 39, 40, 41 and 42 on the basis of an original registration with the Benelux Office for Intellectual Property.

The Complainant also adduced evidence to show it is the registrant of the domain name <arcelormittal.com>, registered on 27 January 2006. The Complainant claims without submitting evidence to have a wider portfolio of domain name registrations.

The Respondent registered the disputed domain name <arcelormittal.design> on 15 April 2025 according to a WHOIS record adduced by the Complainant and as confirmed by the Registrar Verification obtained by the CAC Case Administrator (hereafter “Registrar Verification”). The Registrar omitted to specify the creation date for the disputed domain name <arcelormittal.lat> but the WHOIS record for that name adduced by the Complainant shows that it too was registered on 15 April 2025.

The Registrar Verification confirms that both disputed domain names were registered by the same Respondent, giving the identifying and contact details which are employed in this proceeding.

FACTUAL BACKGROUND

The Complainant is the largest steel producing company in the world and is the market leader in steel for automotive, construction, household appliances and packaging use, with nearly 54 million tonnes of crude steel made in 2024, over 125,000 employees worldwide and steel manufacturing plants in 15 countries. One of those countries is Brazil, the country of the Respondent according to the contact details given by the Respondent upon registration of the disputed domain names. The Complainant furthermore holds sizeable captive supplies of raw materials for steelmaking, operates extensive distribution networks for its steel products, has over a hundred R&D programmes under way and runs fourteen research centres.

Screenshot evidence adduced by the Complainant on the day following their registration shows that the disputed domain names resolved to a parking web page provided by the host internet service provider, which is also the registrar of the disputed domain names. The parking page contains links to commercial services or products.

The Panel's routine scrutiny of the Registration Verification disclosed that the Respondent registered the disputed domain names using a postal address in the city of Sabarà in Brazil. Under its general powers, the Panel investigated whether any connection existed between Sabarà and the Complainant. It does. The Complainant operates a steel plant in Sabarà. As to the contact details the Respondent gave, these include “Forum Black Hat” in the Respondent’s identification and a telephone number that does not seem to correspond to the Brazilian telephone numbering plan’s format.

PARTIES CONTENTIONS

COMPLAINANT:

1. The Complainant’s rights

The disputed domain names are identical to its trademark ARCELORMITTAL as it is contained without addition or deletion in them. The TLD extensions <.design> and <.lat> do not change the overall impression of the designations as being connected to the Complainant’s trademark or prevent the likelihood of confusion between the disputed domain names and the Complainant and its trademark. Setting the TLD extensions therefore aside, the disputed domain names are identical to the Complainant’s trademark ARCELORMITTAL.

2. The Respondent's lack of rights or legitimate interest

The Complainant notes that the Respondent is not identified in the WHOIS database as the disputed domain name and it contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. Nor is the Respondent related in any way with the Complainant, by business, by authorization, by fair use or otherwise. Nothing else is evident in the circumstances of this proceeding that might substantiate a right or legitimate interest under the Policy in favour of the Respondent. To the contrary, the Respondent’s availing itself of a parking page with commercial links to which the disputed domain names resolve indicates pursuit of an illegitimate interest. Therefore, the Respondent has no right or legitimate interest in respect of the disputed domain names.

3. The Respondent's bad faith

The Complainant’s trademark ARCELORMITTAL is widely known. Given the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent registered the disputed domain names with full knowledge of the Complainant's trademark while its use of them through a parking page with commercial links constitutes an attempt to attract internet users for commercial gain to the Respondent’s website. This is facilitated by the use of the Complainant’s trademark in the disputed domain names, so amounting to bad faith use.

RESPONDENT:

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain names are identical or confusingly similar to trademarks 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 names (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain names were registered and are 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 the UDRP were met and that there is no other reason why it would be inappropriate to provide a decision.

The Panel notes that its résumé of the Parties' contentions includes for the Complainant only its arguments pertinent to reaching a decision in this administrative proceeding; it omits in particular references made in the Complaint to past ADR Panels' Decisions.

Lastly, the Panel notes the Complainant's invitation to the Panel to regard its submissions concerning the Respondent's lack of rights or of a legitimate interest as being adequate to constitute a prima facie case and thereby to shift the burden of proof to the Respondent. The Panel does not accept this argumentation with respect to the circumstances of this case, which are clear enough in terms of probative value given the actual facts.

PRINCIPAL REASONS FOR THE DECISION

1) The Complainant has substantiated its trademark rights in the ARCELORMITTAL brand name and is correct in observing that this name is used by the Respondent identically in the stems of both disputed domain names. For its part, the Panel remarks that the TLD extensions cannot be merely disregarded: rather, they serve to reinforce identification with the Complainant. Specifically, the TLD extension <.design> could credibly induce an unsuspecting internet user to assume that this designation relates to part of the Complainant's research and development facilities, while <.lat> is a TLD for Latin America, where the Complainant has steel operations, including in the city of Sabarà, where the Respondent at registration of the disputed domain names claimed to be located. The first criterion of the UDRP three-part cumulative test is thus fully satisfied.

2) The contact details given by the Respondent not only raise doubt as to their veracity but already proclaim -- by using the term "Black Hat" -- a possible illegitimate interest. An inference of such illegitimate interest is then compounded by the fact of the Respondent registering on the same day two disputed domain names that are identical to the Complainant’s protected brand. There being no trace of any countervailing consideration in the Respondent's favour, the second criterion of the UDRP’s test is thus met.

3) The Respondent in effect impersonated the Complainant by registering its trademarked name under two TLDs where the Complainant had not itself registered a domain name (and it is worth interjecting here that an innocent party is not obliged to make any registration). Bad faith registration is thus plain. By contrast, only slender evidence supports the Complainant's contention of bad faith use. The Respondent’s having an internet service provider’s parking page as website would on its own not normally suffice for so short a period as the day of its use that the Complainant has shown in this proceeding. Yet the egregious intentionality that is evident from the Respondent's simultaneous registrations impersonating the Complainant magnifies the inference that can be drawn, which extends in the shady circumstances here to a danger of more surreptitious use of the disputed domain names to the potential harm of third parties and of the Complainant’s interests and reputation. The Panel thus in this light finds the final criterion of the UDRP’s test is satisfied.

For these reasons, the Panel ORDERS transfer of the disputed domain names to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arcelormittal.design**: Transferred
2. **arcelormittal.lat**: Transferred

PANELLISTS

Name	**Kevin Madders**

DATE OF PANEL DECISION 2025-05-29

Publish the Decision