Decision for dispute CAC-UDRP-107660

Case number	CAC-UDRP-107660
Time of filing	2025-06-13 14:41:15
Domain names	areclormlttal.com

Case administrator

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

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Arcelormittal LLC

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 of the international trademark n° 947686 ARCELORMITTAL registered on August 3, 2007. The Complainant also owns an important domain names portfolio, including the same distinctive wording ARCELORMITTAL, such as the domain name <arcelormittal.com> registered since January 27, 2006.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:
The Complainant, ARCELORMITTAL S.A., 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 operations in more than 60 countries.
The disputed domain name was registered on June 11, 2025.
The website in relation with the disputed domain name resolves to a parking page.
Past panels have confirmed the notoriety of the trademark ARCELORMITTAL in the following cases:
- CAC Case No. 101908, ARCELORMITTAL v. China Capital ("The Complainant has established that it has rights in the trademark "ArcelorMittal", at least since 2007. The Complainant's trademark was registered prior to the registration of the disputed domain name (February 7, 2018) and is widely well-known.");
- CAC Case No. 101667, ARCELORMITTAL v. Robert Rudd ("The Panel is convinced that the Trademark is highly distinctive and well-

established.").

PARTIES CONTENTIONS

The Complainant contends that:
1. The disputed domain name is confusingly similar to the Complainant's trademark.
The Complainant states that the disputed domain name is a slight variation of the spelling of the Complainant's trademark and thus is confusingly similar to its ARCELORMITTAL trademark and its domain names. In support of this claim, the Complainant refers to prior UDRP cases and affirms that it is a well-established principle that "a domain name which consists of a common, obvious, or misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element." (WIPO Overview 3.0 section 1.9).

Further, the Complainant asserts that the addition of the suffix ".com" is a standard registration requirement and as such is disregarded under the first element confusing similarity test and thus is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademark.

2. The Respondent does not have any rights or legitimate interest in the disputed domain name.
The Complainant contends that the Respondent is not affiliated with nor authorized by ARCELORMITTAL S.A. in any way. The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant does not carry out any activity for, nor has any business with the Respondent. Neither licence nor authorization has been granted to the Respondent to make any use of the Complainant's trademark ARCELORMITTAL, or apply for registration of the disputed domain name by the Complainant. The Respondent's name is not identified in the public WhoIs database under the disputed domain name or under a similar name (in fact it appears as "Redacted for Privacy").

The Complainant further contends that the Respondent, according to the detail's disclosure provided by the Registrar following the start of this proceeding, is identified as "Arcelormittal LLC", however there is no registered organization existing under this name at the address provided by the Respondent to the Registrar; and that another Complainant's entity operates under the name ARCELORMITTAL in Alabama. Thus, the Complainant argues that the Respondent has registered the disputed domain name under the name "Arcelormittal LLC" to reinforce the risk of confusion, which is evidence of lack of legitimate interest.

3. The disputed domain name has been registered and is being used in bad faith.
The Complainant contends that it is inconceivable that the Respondent could have registered the disputed domain name without actual knowledge of Complainant's rights in the trademark ARCELORMITTAL.
Moreover, the Complainant states that the misspelling of the ARCELORMITTAL trademark was intentionally designed to be confusingly similar to the Complainant's trademark, and that previous UDRP Panels have viewed such actions as evidence of bad faith.

Furthermore, the Complainant contends that, as held by previous UDRP panels, the incorporation of a famous trademark into a domain name, coupled with an inactive website, may be evidence of bad faith registration and use.

Finally, the disputed domain name has been set up with MX records, which suggests that it may be actively used for e-mail purposes. The Complainant contends that it is inconceivable that the Respondent would be able to make any good faith use of the disputed domain name as part of an e-mail address.

RESPONDENT:

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

A) Confusing similarity

The disputed domain name is a clear misspelling of the Complainant's ARCELORMITTAL trademark and thus appears to be a case of typosquatting, a practice intended to create confusing similarity between the Complainant's trademark and the disputed domain name.

This Panel agrees with the Complainant's view and those of previous panels, that a domain name which consists of a common, obvious, or misspelling of a trademark is considered by panels to be confusingly similar to the relevant trademark for first element purposes.

B) Lack of legitimate rights or interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving 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.

The name of the purported Registrant Organisation provided by the Registrar to the Complainant and to the Center is "Arcelormittal LLC", and this is potentially relevant because of paragraph 4(c)(ii) of the Policy. However, for the reasons discussed in relation to bad faith below, it is likely that the Respondent adopted this name and registered the disputed domain name in order to benefit from perceived association with the Complainant, which cannot give rise to rights or legitimate interests. The Panel also noted, in this regard, that there is no evidence before the Panel that the Respondent is actually commonly known by the disputed domain name or "Arcelormittal LLC."

The Complainant's assertions that the Respondent is not commonly known by the disputed domain name and is not affiliated with nor authorized by the Complainant are sufficient to constitute a prima facie demonstration of the absence of rights or legitimate interests in the disputed domain name on the part of the Respondent. The burden of evidence therefore shifts to the Respondent to show, using tangible evidence, that it does have rights or legitimate interests in the disputed domain name. The Respondent has made no attempt to do so.
Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

C) Registered or Used in Bad Faith

The Complainant gives sound bases for its contention that the disputed domain name was registered and has been used in bad faith.

Firstly, owing to the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent registered the disputed domain name, which is a slight variation of the Complainant's renowned trademark, with full knowledge of the Complainant's trademark, and so the Panel finds on the balance of probabilities that the Respondent was aware of the Complainant's trademark when registering the disputed domain name.

Secondly, the Panel accepts the Complainant's unchallenged assertion that the Respondent registered the disputed domain name with the aim of creating a likelihood of confusion with the Complainant's trademark.

Thirdly, it appears that the Respondent is passively holding the disputed domain name.

Fourthly, the Panel notes that the Respondent apparently supplied, at the very least, incorrect information for the WhoIs record in addition to utilizing a privacy service, and these factors combined together are indications of bad faith registration.

Fifthly, the Respondent has not responded to nor denied any of the assertions made by the Complainant in this proceeding.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **areclormlttal.com**: Transferred

PANELLISTS

Name	**Fabrizio Bedarida**

DATE OF PANEL DECISION 2025-07-14

Publish the Decision