Decision for dispute CAC-UDRP-107735

Case number	CAC-UDRP-107735
Time of filing	2025-07-09 09:29:09
Domain names	comercialarcelormittal.com

Case administrator

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

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Vinicius Borges

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 (the "Domain Name").

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the international trade mark n° 947686 comprising a standard character mark in respect of the text "ArcelorMittal" registered on 3 August 2007 in classes 6, 7, 9, 12, 19, 21, 39, 40, 41 and 42, in reliance upon an earlier Benelux trade mark registration. This international mark has proceeded to grant either in full or in at least some respects, in over 40 jurisdictions.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

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 57.9 million tons of crude steel made in 2024. It holds sizeable captive supplies of raw materials and operates extensive distribution networks.

In addition to its trade mark it holds a portfolio of domain names, which includes the domain name <arcelormittal.com> registered

since 27 January 2006.

The Domain Name was registered on 3 July 2025. There is no active website operating from the Domain Name. MX servers are configured.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the 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 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 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 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 Panel accepts that the only sensible reading of the Domain Name is as the word “Commercial”, combined with the term “arcelormittal” and the ".com" top level domain.

The Complainant has demonstrated that it has registered trade marks for ARCERLORMITTALL and it follows from this that the Complainant's mark is clearly recognisable in the Domain Name. The Complainant therefore holds a mark that is "confusingly similar" to the Domain Name as that term is understood under the UDRP. In this respect, see section 1.7 and 1.9 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (the “WIPO Overview 3.0”). The Complainant has therefore made out the requirements of paragraph 4(a)(i) of the UDRP.

The Panel has little doubt that the Respondent deliberately registered the Domain Name with the knowledge of, and because of its associations with, the Complainant’s trade marks. The reason for this is that there is no obvious use of the term “arcelormittal” that is unrelated to those marks.

In this case, the exact reasons for registration are unclear, particularly since no website appears to have ever operated from the Domain Name.

However, the term “commercial” is an ordinary English word, that does not obviously signal to internet users that the Domain Name is held by a person or entity unconnected with the Complainant. In the circumstances, and in the absence of evidence or argument to the contrary, the Panel concludes that the Domain Name inherently impersonates (or at the very least implies affiliation with) the Complainant and that the Respondent intended such impersonation.

There is no right or legitimate interest in registering and holding a domain name that impersonates a trade mark holder, and registration for such a purpose is positive evidence that no such right or interest exists. In this respect see section 2.5.1 of the WIPO Overview 3.0. Further, such activity constitutes registration and use in bad faith.

Further and in any event, absent any evidence or argument to the contrary, the Complainant is satisfied that the Respondent intended to take some unfair advantage of the association of the Domain Name with the Complainant's marks in some manner or other. There is no right or interest in registering a domain name for such a purpose and this is sufficient for a finding of bad faith registration and use (as to which see, for example, Match.com, LP v. Bill Zag and NWLAWS.ORG, WIPO Case No. D2004-0230). It follows that the Complainant has therefore made out the requirements of paragraphs 4(a)(ii) and 4(a)(iii) of the UDRP.

Finally, although the Panel notes the Complainant’s contentions about the Domain Name being set up with MX records, there is no evidence before it that the Domain Name has been used for email. Further, the Panel understands that many registrars configure those records as a matter of course and that this is not necessarily a reliable indicator of a complainant’s intentions. However, the Panel does not need to make any findings in this respect for it to come to its decision in this case.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **comercialarcelormittal.com**: Transferred

PANELLISTS

Name	**Matthew Harris**

DATE OF PANEL DECISION 2025-08-07

Publish the Decision