Decision for dispute CAC-UDRP-107827

Case number	CAC-UDRP-107827
Time of filing	2025-08-06 08:36:55
Domain names	arcelor.top

Case administrator

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

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Chang Chun Zhang

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 No. 778212 ARCELOR, registered on February 25, 2002. The Complainant further owns the domain name <arcelor.com>, registered since August 29, 2001.

The disputed domain name <arcelor.top> was registered on July 30, 2025.

FACTUAL BACKGROUND

The Complainant is the largest steel producing company in the world and a market leader in steel for use in automotive, construction, household appliances, and packaging. It produced 57.9 million tons of crude steel in 2024 and operates extensive distribution networks.

The disputed domain name <arcelor.top> was registered by Respondent on July 30, 2025.

PARTIES CONTENTIONS

The Complainant asserts that the disputed domain name is identical to its trademark ARCELOR. The addition of the gTLD ".top" does not affect the assessment of confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, is not commonly known by it, has not been authorized to use the Complainant's trademark and is not related in any way with the Complainant, who does not carry out any activity for, nor has any business with the Respondent. The disputed domain name resolves to a parking page and has not been used.

The Complainant further contends that the disputed domain name was registered and is being used in bad faith. The Complainant's trademark is well-known and has been recognized as such in prior UDRP decisions (e.g., WIPO Case No. DME2018-0005; CAC Case No. 100756). The Respondent must have had knowledge of the Complainant's rights at the time of registration. The passive holding of the domain name is cited as further evidence of bad faith.

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical 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

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that:
(i) The domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
(ii) The respondent has no rights or legitimate interests in respect of the domain name; and
(iii) The domain name has been registered and is being used in bad faith.

I. Identical or Confusingly Similar

The Complainant has established the fact that it has valid rights for the ARCELOR international trademark specified in paragraph "Identification of rights" above whereas the international trademark No 778212 has been registered on February 25, 2002.
The disputed domain name has been registered on July 30, 2025, i.e. more than 23 years after the trademark registration.
The disputed domain name incorporates the Complainant's ARCELOR trademark in its entirety. The addition of the generic top-level domain ".TOP" does not change the overall impression of the designation as being connected to Complainant's trademark.
Therefore, the Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical to the Complainant's trademark "ARCELOR" in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

II. Rights or Legitimate Interests

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that (ii) the respondent has no rights or legitimate interests in respect of the domain name.

The Complainant has established a prima facie case (not challenged by the Respondent who did not filed any response to the complaint) that the Respondent has no rights or legitimate interests in the disputed domain name, since the Respondent is not

related in any way with the Complainant, has not been authorized or licensed to use the Complainant's trademarks, there is no indication that the Respondent is commonly known by the term “ARCELOR” or that the Respondent is using the disputed domain name in connection with a bona fide offering of goods or services. The disputed domain name instead resolves to a parking page and such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial fair use (Forum Case No. FA 1773444). There is also no evidence, that the Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

Given the Respondent's failure to respond and the absence of any apparent legitimate use of the disputed domain name, the Panel considers that 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).

III. Registered and Used in Bad Faith

For the Complainant to succeed it must prove, within the meaning of paragraph 4(a) of the Policy, that (iii) the domain name has been registered and is being used in bad faith.

The Respondent has registered the disputed domain name which consists of the Complainant’s trademark “ARCELOR”.
There are no doubts that the Complainant’s trademark is distinctive and well-known as recognized in prior UDRP decisions (WIPO Case No. DME2018-0005; CAC Case No. 100756). It could be therefore concluded that the disputed domain name has been registered in bad faith as the Respondent had or should have the Complainant and its prior trademark rights in mind when registering the disputed domain name and the Respondent's registration cannot be therefore considered coincidental.

The passive holding of the domain name, combined with the incorporation of a well-known mark, supports a finding of bad faith.

Thus, 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).

The Panel considers that the Complainant has shown that the disputed domain name <arcelor.top> is identical to trademark in which the Complainant has rights, the Respondent has no rights or legitimate interests in respect of the disputed domain name and the disputed domain name has been registered and is being used in bad faith. The Complainant has thus established 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. **arcelor.top**: Transferred

PANELLISTS

Name	**Petr Hostaš**

DATE OF PANEL DECISION 2025-09-05

Publish the Decision