Decision for dispute CAC-UDRP-107910

Case number	CAC-UDRP-107910
Time of filing	2025-09-02 11:02:34
Domain names	arcelorrnitttal.com

Case administrator

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

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	Njalla Okta 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's company or trade name is ARCELORMITTAL (Société Anonyme).

It is owner of the international trademark "ARCELORMITTAL" no. 947686, registered since 3 August 2007 in classes 6, 7, 9, 12, 19, 21, 39, 40, 41 and 42.

It also owns multiple domain names, including <arcelormittal.com> which is registered since 27 January 2006 and resolves to the Complainant's official website.

The Complainant’s above-mentioned rights are hereinafter collectively referred to as the ARCELORMITTAL Trademark.

FACTUAL BACKGROUND

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

The disputed domain name was registered on 27 August 2025 by Njalla Okta LLC (Host Master), with an address in Saint Kitts and

Nevis.

The disputed domain name does not resolve to any active website. However, MX records have been set for the disputed domain name.

PARTIES CONTENTIONS

The Complainant contends that the requirements of the Policy have been met and that the disputed 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 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

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements to succeed in the administrative proceeding:

(i) the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights; and
(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
(iii) the disputed domain name has been registered and is being used by the Respondent in bad faith.

I. COMPLAINANT'S RIGHTS AND THE CONFUSING SIMILARITY OF THE DISPUTED DOMAIN NAME TO THE COMPLAINANT'S MARK

The Complainant has established that it has rights in the ARCELORMITTAL Trademark since 2007.

In UDRP disputes, the test for identity or confusing similarity involves a straightforward, reasoned comparison between the complainant's trademark and the disputed domain name. This typically entails a side-by-side evaluation of the domain name and the textual elements of the relevant trademark to determine if the mark is recognizable within the domain name. When a domain name fully incorporates a trademark, or at least a dominant feature of it is evident in the domain name, the domain name is generally deemed confusingly similar to the mark for the purposes of UDRP standing.

UDRP panels have found domain names that intentionally include a common or obvious misspelling of a trademark confusingly similar to the relevant trademark under the first element, because they retain sufficiently recognizable aspects of the mark (so-called typosquatting). Common typosquatting techniques include using adjacent keyboard letters, substituting similar-looking characters (e.g., numbers for letters), employing visually similar letters in different fonts, using non-Latin, accented, or

internationalized characters, reversing letters or numbers, adding or embedding unrelated terms or numbers.

The top-level domain (TLD) is usually disregarded in determining identity or similarity, as it is simply a technical aspect of registration.

The disputed domain name consists of the term "arcelorrnitttal" followed by the TLD ".com".

The Panel finds that the disputed domain name is confusingly similar to the Complainant's trademark. The Respondent replaced the letter "m" in the Complainant's mark with the combination "r" and "n", which together visually resemble the letter "m", and added an extra "t". These alterations do not prevent a finding of confusing similarity, as they neither diminish the distinctive character of the Complainant's mark nor create a sufficient distinction between the disputed domain name and the Complainant's trademark. Internet users may therefore be misled into believing that the disputed domain name, and any related online service (such as a website or e-mail), is affiliated with, owned by, or under the control of the Complainant.

Accordingly, the Panel finds that the Complainant has proven the first element of the paragraph 4(a) of the Policy and the disputed domain name is confusingly similar to the Complainant's trademark.

II. RESPONDENT'S LACK OF RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

Under paragraph 4(a)(ii) of the Policy, the Complainant bears the burden of establishing that the Respondent has no rights or legitimate interests in respect of the disputed domain name. Once the Complainant makes a prima facie case, the burden of production shifts to the Respondent to demonstrate rights or legitimate interests in the domain name.

The Respondent has been identified as Njalla Okta LLC (Host Master), with an address in Saint Kitts and Nevis. There is no evidence that the Respondent, whether as an individual, business, or other organization, has been commonly known by the disputed domain name or has acquired any rights in a trademark or trade name corresponding to it.

The Complainant asserts that it has no relationship whatsoever with the Respondent. The Respondent has never received any approval—express or implied—from the Complainant to use its trademark or to register or use the disputed domain name.

The disputed domain name was registered on 27 August 2025. It is a typosquatted version of the Complainant's mark and, thus confusingly similar to the Complainant's trademarks. UDRP panels have found that domain names identical or confusingly similar to a complainant's trademark carry a high risk of implied affiliation.

Moreover, the Complainant has submitted evidence that the disputed domain name does not resolve to an active website; however, MX records have been configured. This indicates that the disputed domain name could potentially be used for phishing or other fraudulent e-mail activities.

In light of the above, the Panel finds no indication that, prior to notice of the dispute, the Respondent used—or prepared to use—the disputed domain name, or any corresponding name, in connection with a bona fide offering of goods or services. Nor is there any evidence that the Respondent is making legitimate non-commercial or fair use of the domain name without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark.

While the Complainant has established its prima facie case, the Respondent has not submitted a Response to the Complaint and, thus, has failed to invoke any of the circumstances, which could demonstrate any rights or legitimate interests in the disputed domain name.

Accordingly, the Panel concludes that the Complainant has met the second requirement under paragraph 4(a) of the Policy, and finds that the Respondent lacks rights or legitimate interests in the disputed domain name.

III. REGISTRATION AND USE OF THE DISPUTED DOMAIN NAME IN BAD FAITH

The Complainant has sufficiently demonstrated rights in the prior and well-known ARCELORMITTAL Trademark, registered and used since 2007.

The disputed domain name is a clear case of typosquatting and is therefore confusingly similar to the Complainant's ARCELORMITTAL Trademark.

UDRP panels have consistently held that the mere registration of a domain name identical or confusingly similar to a famous or widely known trademark by an unaffiliated entity may, in itself, constitute evidence of bad faith registration.

Given the notoriety of the Complainant's activities and its ARCELORMITTAL Trademark worldwide—confirmed in several UDRP decisions (see inter alia, CAC Case No. 101908, ARCELORMITTAL v. China Capital; CAC Case No. 101667, ARCELORMITTAL v. Robert Rudd; WIPO Case No. DCO2018-0005, ArcelorMittal SA v. Tina Campbell)—it is implausible that the disputed domain name was registered by mere coincidence. Rather, it was clearly registered with full awareness of the Complainant's ARCELORMITTAL Trademark and an intent to exploit its reputation. The Complainant has also been the target of typosquatting in previous cases (e.g., WIPO Case No. D2020-3457, ArcelorMittal (Société Anonyme) v. Name Redacted <arcelormltal.com>).

Moreover, the disputed domain name has not resolved to any active website since registration. As recognized under the doctrine of passive holding (see section 3.3 of the WIPO Overview 3.0, and in particular Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003), the non-use of a domain name does not prevent a finding of bad faith where the circumstances indicate that any potential use would likely be abusive.

In this case, the Panel considered the following factors when applying the passive holding doctrine:

i. the degree of distinctiveness and reputation of the Complainant's ARCELORMITTAL Trademark;
ii. the Respondent's failure to submit a Response or provide any evidence of actual or contemplated good faith use;
iii. the Respondent's concealment of identity or use of false contact details;
iv. the implausibility of any good faith use to which the disputed domain name could be put.

Taking into account all the circumstances—namely the deliberate misspelling of the Complainant's ARCELORMITTAL Trademark combined with the absence of any legitimate use—the Panel concludes that it is impossible to conceive of any plausible actual or contemplated use of the disputed domain name that would not be illegitimate, such as trademark infringement, passing off, or violation of consumer protection laws.

Furthermore, the configuration of MX records for the disputed domain name suggests a risk of its use for fraudulent e-mail activities, reinforcing the finding of bad faith.

Accordingly, the Panel finds that the Respondent, by registering and using the disputed domain name, has intentionally attempted to attract, for commercial gain, Internet users to its online location by creating a likelihood of confusion with the Complainant's ARCELORMITTAL Trademark as to the source, sponsorship, affiliation, or endorsement of its website or other online location (paragraph 4(b)(iv) of the Policy).

The Complainant has therefore met its burden under paragraph 4(a)(iii) of the Policy to show that the disputed domain name has been 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. **arcelorrnitttal.com**: Transferred

PANELLISTS

Name	**Ivett Paulovics**

DATE OF PANEL DECISION 2025-09-25

Publish the Decision