# Decision for dispute CAC-UDRP-107945

| | |
|---|---|
| Case number | CAC-UDRP-107945 |
| Time of filing | 2025-09-12 13:20:03 |
| Domain names | arcelormittalbr.com |

## Case administrator

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

## Complainant

| | |
|---|---|
| Organization | ARCELORMITTAL |

## Complainant representative

| | |
|---|---|
| Organization | NAMESHIELD S.A.S. |

## Respondent

| | |
|---|---|
| Organization | DELTA SERVERS iNC |

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 valid international trademark n° 947686 ARCELORMITTAL registered on August 3, 2007, long before the Respondent registered the disputed domain name. The Complainant registered a portfolio of ArcelorMittal trademarks in addition.

The Complainant also provided evidence that it owns the domain name <arcelormittal.com>, registered since January 27, 2006, and the subdomain <brasil.arcelormittal.com> well before the Respondent registered the disputed domain name on September 9, 2025.

FACTUAL BACKGROUND

The Complainant is a steel company based in Luxemburg, Luxembourg. The Complainant is active in 60 countries and has 168.000 employees. 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

The Respondent is a Brazilian citizen, using a hidden domain holder name, who is represented by his Registry as shown by evidence. On September 9, 2025 the Respondent registered the disputed domain name. He uses the disputed domain name for commercial

purposes and directed the domain to a parking page with commercial links.

The Complainant, represented by the company Nameshield, filed the Complaint against the Respondent claiming that the Respondent registered the disputed domain name <arcelormittalbr.com> without rights or legitimate interest and in bad faith, typosquatting as e.g. CAC Case No. 102221. Therefore, the registration should be declared abusive and the disputed domain name transferred to the Complainant.

The Respondent didn't react to the Complainant 's contentions.

## 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.

The Complainant principally makes the following assertions:

The Complainant referred to the distinctiveness and reputation of its ArcelorMittal trademarks, e.g. CAC Case no. 101607 ("The panel ist convinced that the Trademark is highly distinctive and well-established"). He also referred that this is a clear case of "typosquatting", i.e. the disputed domain name contains the full Complainant's trademark and added two letters "br". Obviously, the Respondent seeks to get visitors who missed to make a dot "." between "arcellormittal" and "br", especially those from Brazil. Previous panels have found that the slight spelling variations does not prevent a disputed domain name from being confusing similar to the Complainant's trademark. It is well established that TLDs may typically be disregarded in the assessment under paragraph 4(a)(i) of the Policy when comparing disputed domain names and trademark.

Furthermore, the Complainant contends that the addition of the gTLD ".COM" does not change the overall impression of the designation as being connected to the Complainant's trademark. It does not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trademark and its domain names associated. Indeed, as reminded in the WIPO Overview 3.0 §1.11.1, "the applicable Top Level Domain ("TDL") in a domain name (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusion similarity test".

Consequently, the Complainant argued the disputed domain name <arcelormittalbr.com> is confusingly similar to Complainant's trademark ARCELORMITTAL®, the Respondent is without rights and registered and used it in 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 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

PRINCIPAL REASONS FOR THE DECISION

It is necessary for the Complainant, if it is to succeed in this administrative proceeding, to prove each of the three elements referred to in paragraph 4(a) of the Policy, namely that:

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

This is a clear case of "typosquatting“, i.e. the disputed domain name contains the full Complainant’s trademark and added two letters "br". Obviously, the Respondent seeks to get visitors who missed to make a dot "." between "arcellormittal" and "br", especially those from Brazil. Previous panels have found that the slight spelling variations does not prevent a disputed domain name from being confusing similar to the Complainant’s trademark.

In detail:

It is well-established that a domain name that wholly incorporates a Complainant’s registered trademark may be sufficient to establish confusing similarity for purposes of the UDRP, e.g. WIPO Case No. D2003-0888, Dr. Ing. h.c. F. Porsche AG v. Vasiliy Terkin. Further see for instance CAC Case No. 102235, AMUNDI ASSET MANAGEMENT v. Fundacion Comercio Electronico (“The Panel agrees that this inversion of letters is a minor variant of Complainant’s trademark, which characterizes typosquatting, where a domain name creates a virtually identical and/or confusingly similar mark to the Complainant’s trademark so that Internet users who misspell Complainant’s trademark when searching for it are diverted to Respondent’s website. Typosquatting was recognized, for instance, in the CAC Case No. 102221, Arcelor Mittal SA v. lykelink, where the disputed domain name <arcelomrittal.com> only slightly varied from the trademark “ARCELOR MITTAL” by the inversion of the letters “R” and “M”.”) Further see CAC Cases No. 102625 and No. 104341.

The Panel finds that the disputed domain name <arcelormittalbr.com> is confusing similar to the trademark of the Complainant.

The Complainant asserts to the satisfaction of the Panel, that the Respondent has no rights or legitimate interests in respect of the disputed domain name. According to WIPO Case No. D2003-0455 Croatia Airlines d. d. v. Modern Empire Internet Ltd., the Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such prima facie case is made, the Respondent carries the burden of demonstrating rights or legitimate interests in the domain name. If the Respondent fails to do so, the Complainant is deemed to have satisfied paragraph 4(a) (ii) of the Policy. Further the Complainant argues that the Respondent is not related to the Complainant.

Moreover, the Complainant contends and provides evidence that the disputed domain name resolves to a website that offers links in competition with the Complainant. See WIPO Case No. D2007-1695, Mayflower Transit LLC v. Domains by Proxy Inc./Yariv Moshe ("Respondent’s use of a domain name confusingly similar to Complainant’s trademark for the purpose of offering sponsored links does not of itself qualify as a bona fide use."). The Complainant further rightfully contends that the Respondent has not developed a legitimate use in respect of the disputed domain name. Competing use is not considered a bona fide offering of goods or services, nor a legitimate non-commercial or fair use. The Respondent was seeking to the satisfaction of the panel to use the disputed domain name only to divert consumers for its own commercial gain. The Respondent has no legitimate interests in respect of the disputed domain name.

In lack of any Response from the Respondent, or any other information indicating the contrary, the Panel concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

This makes it highly unlikely that the Respondent had no knowledge of the Complainant's prior trademark rights at the time of registration of the disputed domain name. The Complainant rightfully contended that the Respondent has used the disputed domain name intentionally to attract visitors for commercial gain by creating confusion with the Complainant’s trademarks, and that the Respondent has used the disputed domain name with that intention, namely in bad faith. Reference is made also to: CAC case N° 101036, Boehringer Ingelheim Pharma GmbH & Co. KG vs. SKYRXSHOP - dulcolax.xyz and WIPO Case no. D2014-0306 Boehringer Ingelheim Pharma GmbH & Co. KG v. Klinik Sari Padma, BAKTI HUSADA.

Furthermore, the Respondent is using a hidden identity. Thus, the Respondent is not known as the disputed domain name. But this argument is not to be discussed further because bad faith is evident, whatsoever.

Accordingly, the Panel finds that the disputed domain name was both registered and used in bad faith and that the Complaint succeeds under the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arcelormittalbr.com**: Transferred

## PANELLISTS

| | |
|---|---|
| Name | **Harald von Herget** |

DATE OF PANEL DECISION 2025-10-20

Publish the Decision