Decision for dispute CAC-UDRP-107875

Case number	CAC-UDRP-107875
Time of filing	2025-08-29 09:48:11
Domain names	lyondellbassell.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	LyondellBasell Industries Holdings B.V.

Complainant representative

Organization	Barzanò & Zanardo S.p.A.

Respondent

Organization	WEBZONE CAPITAL 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 owns various trade mark registrations for its LYONDELLBASEL mark including United States trade mark registration 3634012 registered on May 7, 2008 and European trade mark registration number 006943518 registered on May 16, 2008. It has owned the domain name <lyondellbasell.com> since 2007 from which it operates its main website.

FACTUAL BACKGROUND

The Complainant is a multinational chemical company with European and American roots going back to 1953-54 when its predecessor company scientists made their discoveries in the creation of polyethylene and polypropylene. It has become the third largest plastics, chemicals and refining company in the world; and

the largest licensor of polyethylene and polypropylene technologies having over 6,200 patents and patent applications worldwide. The Complainant has over 20,300 employees around the globe and manufactures at 75 sites in 20 countries. The Complainant's products are sold in more than 100 countries. It has been listed on the New York Stock Exchange since 2010 and in 2024 had an EBITDA of USD $4.3 billion.

The disputed domain name was registered August 11, 2013 and at the time of filing resolved to an inactive webpage.

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 issued a procedural order on October 13, 2025 as follows:

"The Panel seeks clarification from the Complainant that Annex 9b is in fact a printout of the page to which the disputed domain name redirected at the time of filing of the Complaint. If not, and this page was filed in error, please provide a copy of the relevant page by return. In addition, the Panel requests the Complainant to provide a copy of Annex 12 as referred to in the last paragraph under the section headed “Respondent’s Lack Of Rights And Legitimate Interests” which appears to the Panel to be a copy of the redirected parking page showing details of sponsored links.

The Panel requests that the Complainant file this evidence by 20 October 2025 and affords the Respondent the opportunity to file submissions strictly relating to these items of evidence by 27 October 2025. The Panel hereby extends the decision due date to 4 November 2025."

The Complainant's representatives responded on October 13, 2025 as follows:

"We thank the panel for this clarification opportunity.

Regarding one of the Annex, we confirm that it is correct: the domain name redirected, as indicated in the bullet points of “Registration and use in bad faith”, to a random webpage at the moment prima facie inactive.

“Regarding one of the annexes to the Complaint to which refer the last paragraph under the section headed “Respondent’s Lack Of Rights And Legitimate Interests” it is indeed the already provided another Annex related to MX records, set up on the disputed domain name.”

“Please note that this last paragraph has indeed been added for error and the correct paragraph should read as follows:”

“The disputed domain name is redirected to a random page and it is set up to send emails, therefore indicating that they have been registered to be involved in phishing activities/storage Spoofing”.

We thank you for the opportunity of clarification".

No communication was received from the Respondent.

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 Complainant owns registered trade mark rights in its LYNDONBASELL mark as set out above. As noted by the Complainant, the disputed domain name wholly incorporates the LYNDONBASELL mark but with the addition of a second "s". The inclusion of the second "s" amounts to an example of typosquatting and does not prevent a finding of confusing similarity.

The Complainant has submitted that it has no relationship with the Respondent and that the Respondent has never received approval, whether express or implied, to use or register the Complainant's trade marks or any other identical or confusingly similar trade mark. Neither, says the Complainant, is there evidence that the Respondent has acquired any rights in a trade mark or trade name corresponding to the disputed domain name. Further, the Complainant has submitted that the disputed domain name redirects to an inactive webpage set up with active MX records which, says the Complainant, suggests that the webpage might be used to send and receive emails. The Complainant has noted that its trade marks have been targeted previously for spoofing or phishing activities. In circumstances that the Respondent has previously been a respondent in another UDRP case which concluded with the transfer of the relevant domain name (albeit not apparently involving spoofing or phishing) then it considers that there is a risk that the disputed domain name in this case could be used by the Respondent for spoofing or phishing purposes. Overall, the Complainant has submitted that such use does not amount to bona fide, legitimate or fair use under the Policy.

The Panel finds that the Complainant has made out a prima facie case that the Respondent has no rights or legitimate interests in the disputed domain name which has not been rebutted by the Respondent. Accordingly, the Panel finds that the Complaint succeeds under the second element of the Policy.

As far as registration in bad faith is concerned, the Panel notes that the Complainant's trade mark registrations predate the disputed domain name. By the date of registration of the disputed domain name in 2013 the Complainant had been operating for many years under its very distinctive LYNDONBASELL mark and had an on-line presence through its website at <lyndonbasell.com> since 2007. The Complainant's business is substantial and international and the Panel finds that it is more likely than not that the Respondent registered the disputed domain name with knowledge of the Complainant's mark and business.

The disputed domain name resolves to an in-active page. Previous panels have found that the non-use of a domain name does not prevent a finding of bad faith under the doctrine of passive holding. See WIPO Overview 3.0, section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant’s trade mark and that the disputed domain name amounts to a typosquatted version of the Complainant's trade mark. The Respondent has failed to explain its registration and did not disclose its details in the WHOIS data. In the circumstances it appears to the Panel that the future bona fide use of the disputed domain name by the Respondent is implausible and therefore that the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy. In any event, the Panel notes that in circumstances where the disputed domain name is a typosquatted version of the Complainant's trade mark that there is a strong inference of bad faith. Accordingly, the Panel finds that the Complainant has established 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. **lyondellbassell.com**: Transferred

PANELLISTS

Name	**Mr Alistair Payne**

DATE OF PANEL DECISION 2025-10-31

Publish the Decision