Decision for dispute CAC-UDRP-107993

Case number	CAC-UDRP-107993
Time of filing	2025-09-24 09:43:51
Domain names	arcelrormittal.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	clinton serw

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 following trademark consisting of the word element “Arcelormittal”:

- international trademark for “ARCELORMITTAL” No. 947686, registered on August 3, 2007

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.

The disputed domain name was registered by the Respondent on September 22, 2025. The website the disputed domain name links to shows an index page. However, the disputed domain name has been set up with MX records. It is therefore possible that the domain name is being actively used to create and use email addresses.

PARTIES CONTENTIONS

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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

As the Respondent did not file an administratively compliant Response, pursuant to paragraph 14(b) of the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), the Panel may draw such conclusions therefrom as it considers appropriate. Thus, the Panel accepts the contentions of the Complainant as admitted by the Respondent.

Taking the statements and documents submitted by the Complainant under careful consideration, the Panel concludes that the Complainant has established all the elements entitling it to claim the transfer of the disputed domain name.

I. Identical or Confusingly Similar disputed domain name

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name to be confusingly similar to a trademark in which the Complainant has rights within the meaning of paragraph 4(a)(i) of the Uniform Dispute Resolution Policy (the “Policy”).

The Complainant has shown that it has valid trademark rights in “ARCELORMITTAL”.

The disputed domain name consists of the Complainant's trademark with the letter “R” added between the letters “L” and “O”.

The added letter “R” is also close to the letter “R” used in the Complainant's trademark and domain name. Accidentally pressing the “R” key twice in quick succession takes an internet user to the disputed domain instead of the Complainant's website. This leads to confusing similarity between the disputed domain and the trademark.

The addition of the gTLD suffix ".COM" is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant's trademark and does not change the overall impression of the designation as being connected to the trademark of the Complainant.

II. The Respondent's Rights or Legitimate Interests in the disputed domain name

The Complainant has, to the satisfaction of the Panel, demonstrated that the Respondent has no rights or legitimate interests in respect of the disputed domain name, within the meaning of paragraph 4(a)(ii) of the Policy.

While the overall burden of proof in UDRP proceedings lies with the Complainant, the burden of proof shifts to the Respondent where the Complainant establishes a prima facie case that the Respondent lacks rights or legitimate interests. If the Respondent fails to provide evidence for its rights or legitimate interests, the Complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy (WIPO Case No. D2004-0110 – Belupo d.d. v. WACHEM d.o.o.; WIPO case no. D2003-0455 – Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

The Complainant has established prima facie proof that the Respondent has no rights or legitimate interests in the disputed domain name.

The Respondent is not a licensee of the Complainant, nor has the Complainant granted any permission or consent to use its trademark in a domain name. Further, the Respondent cannot be identified as "arcelrormittal" or a similar name in the Whois database. This indicates that the domain name does not correspond to the name of the Respondent. There is also no indication, that the Respondent is otherwise commonly known under this name.

The close similarity between the disputed domain name and the Complainant's trademark indicates "typosquatting", which also supports the assumption that the Respondent has no legitimate interest in the use of the domain name (please see also Forum Case No. FA 1773444, Ashley Furniture Industries, Inc. v. Joannet Macket / JM Consultants).

Summarised, Complainant has established the necessary prima facie proof and there is no evidence for a use of the disputed domain name for any bona fide offer of goods or services or a legitimate non-commercial or fair use. Therefore, as the Respondent has not provided any proof to the contrary, the Panel holds that the Respondent has no rights or legitimate interests in the disputed domain name.

III. The disputed domain name has been registered and is being used in Bad Faith

The Respondent has also registered and is using the disputed domain name in bad faith within the meaning of para. 4 (a)(iii) of the Policy by intentionally attempting to attract internet users to their website by creating a likelihood of confusion with the Complainant's trademark for commercial gain.

The Respondent has registered the disputed domain name in bad faith within the meaning of para. 4 (a)(iii).

The trademark "ARCELORMITTAL" of the Complainant is well-known internationally for metals and steel production. Accordingly, it is inconceivable that the Respondent might have registered a domain name similar to the trademark without knowing of it (please also see: WIPO Case No. DCO2018-0005, ArcelorMittal SA v. Tina Campbell, related to the same trademark). The Complainant's trademark was registered in 2007 – 18 years before the registration of the domain name by the Respondent.

The apparently intentional misspelling ("typosquatting") is an additional indication of bad faith (Forum Case No. FA 877979, Microsoft Corporation v. Domain Registration Philippines).

Therefore, the Panel concludes that the Respondent has registered the disputed domain name in bad faith within the meaning of para. 4 (a)(iii) of the Policy.

The Respondent is using the disputed domain name in bad faith within the meaning of para. 4 (a)(iii).

The Respondent's passive holding of the disputed domain name by itself may not allow any conclusions to be drawn as to whether the disputed domain name has been registered and is being used in good or bad faith (see para. 7.8 WIPO Case No. D2000-0003 – Telstra Corporation Limited v. Nuclear Marshmallows). Despite the passivity of the Respondent, the circumstances of the individual case must be assessed and can lead to the conclusion of bad faith (see para. 7.9 WIPO Case No. D2000-0003 – Telstra Corporation Limited v. Nuclear Marshmallows).

The Panel is convinced that the misspelling of the trademark ARCELORMITTAL was intentionally designed to be confusingly similar to the Complainant's trademark. Because of the similarities between the disputed domain and the trademark, it is obvious that the disputed domain name is being held and used to attract users who intended to look for the Complainant to the Respondent's website. Additionally, the disputed domain name has been set up with MX records. This suggests that is may be actively used for email purposes. Here, too, the similarities suggest that the domain name is being used to cause confusion.

Considering all these circumstances, it is not possible to think of any alternative plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate (please also see WIPO Case No. D2000-0003 – Telstra Corporation Limited v. Nuclear Marshmallows).

Therefore, the Panel is convinced that the holding and use of the domain name constitutes a case of bad faith under para. 4(a)(iii) of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arcelrormittal.com**: Transferred

PANELLISTS

Name	**Dominik Eickemeier**

DATE OF PANEL DECISION 2025-11-06

Publish the Decision