Decision for dispute CAC-UDRP-108023

Case number	CAC-UDRP-108023
Time of filing	2025-10-06 10:21:43
Domain names	arcelormittol.online, arcelomittol.online

Case administrator

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

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondents

Name	Henrique Gomes
Name	Getulio aragao Gerulio

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any pending or concluded legal proceedings concerning the domain names <arcelormittol.online> and <arcelomittol.online> (together, "the disputed domain names").

IDENTIFICATION OF RIGHTS

The Complainant, ArcelorMittal, is a global steel manufacturer and the proprietor of the following registered trade mark:

- International trade mark registration no. 947686, registered on 3 August 2007, for the word mark **ARCELORMITTAL**, in classes 6, 7, 9, 12, 19, 21, 39, 40, 41, and 42 of the Nice Classification.

The Complainant also owns a substantial domain name portfolio incorporating the term "arcelormittal", including <arcelormittal.com>, registered in 2006 and actively used as the Complainant's primary commercial website.

The disputed domain names <arcelormittol.online> and <arcelomittol.online> were registered on 1 October 2025. They presently do not resolve to active websites. The Complainant, however, has produced evidence of prior active websites which offered steel-related products and services.

FACTUAL BACKGROUND

A. The Complainant's position

The Complainant asserts that it is the world's leading steel producer, with significant operations across multiple sectors, and that it produced 57.9 million tons of crude steel in 2024.

B. Respondent's position

The Respondent has filed no Response.

PARTIES CONTENTIONS

A. The Complainant

A.1 Preliminary Issue – Consolidation of the Proceedings

The Complainant seeks consolidation of its claims against the two registrants of the disputed domain names. It relies on the similarities between the domain names and the websites to which they resolved, asserting that both registrants are under common control.

A.2 Substantive grounds

A.2.1 The disputed domain names are confusingly similar to a trade mark in which the Complainant has rights

The Complainant contends that the disputed domain names are deliberate misspellings of the trade mark ARCELORMTTAL, amounting to typographical imitation. The substitution of the letter "a" for "o", and the omission of the letter "r", do not prevent a finding of confusing similarity. The Top-Level Domain ("TLD") (<.online>) is disregarded for the purpose of comparison.

A.2.2 The Respondent has no rights or legitimate interests in respect of the disputed domain names

The Respondent is not known by the disputed domain names, nor has it been authorised by the Complainant to use its trade mark. The evidence indicates that the disputed domain names were used to promote competing steel products, which cannot constitute a bona fide offering of goods or services.

A.2.3 The Respondent registered and is using the disputed domain names in bad faith

Given the notoriety of the trade mark ARCELORMITTAL, the Complainant submits that the Respondent must have been aware of it when registering the disputed domain names. Their use to attract users to competing websites, and the configuration of MX records suggesting potential misuse for e-mail purposes, further support a finding of bad faith.

A.2.4 Relief sought

The Complainant requests the transfer of the disputed domain names.

B. The Respondent

No Response was filed. The Panel therefore proceeds on the unchallenged evidence submitted by the Complainant.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown that the disputed domain names are identical or confusingly similar to a trade mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the UDRP 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 names (within the meaning of paragraph 4(a)(ii) of the UDRP Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain names have been registered and are being used in bad faith (within the meaning of paragraph 4(a)(iii) of the UDRP Policy).

PROCEDURAL FACTORS

1. Consolidation

The Panel has considered the Complainant's request for consolidation in light of Rules 10(b), 10(c) of the UDRP Rules, and paragraph 4.11.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions ("the WIPO Jurisprudential Overview 3.0").

The disputed domain names share a number of common characteristics:

i. They were registered on the same date, through the same registrar, under the same <.online> TLD;

ii. Each incorporates a near-identical typographical variant of the Complainant's trade mark;

iii. The registrants are both located in Brazil, with contact email addresses of a similar format; and

iv. The websites to which the disputed domain names resolved were, on the evidence, identical in appearance and content.

The Panel considers it implausible that these registrations occurred independently. It therefore finds that the disputed domain names are under common control. Consolidation is accordingly granted as consistent with procedural efficiency and fairness to all parties.

2. Procedural compliance

The Panel is satisfied that all procedural requirements have been met and that the matter is properly before it for determination.

PRINCIPAL REASONS FOR THE DECISION

A. Applicable Legal Framework

Pursuant to Rule 15 of the UDRP Rules, the Panel shall base its determination on the statements and documents submitted, together with the UDRP Policy, UDRP Rules, and any pertinent rules and principles of law.

Under paragraph 4(a) of the UDRP Policy, the Complainant must establish each of the following:

i. That the disputed domain names are identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;

ii. That the Respondent has no rights or legitimate interests in respect of the disputed domain names; and

iii. That the disputed domain names have been registered and are being used in bad faith.

The standard of proof is the balance of probabilities.

B. Identical or Confusingly Similar

The disputed domain names <arcelormittol.online> and <arcelomittol.online> reproduce the Complainant's trade mark ARCELORMITTAL, subject only to minor typographical alterations that do affect its overall impression. The Panel accepts that the Complainant's trade mark remains clearly recognisable and that such typographical imitation, commonly referred to as "typosquatting", constitutes confusing similarity within the meaning of paragraph 4(a)(i) of the UDRP Policy.

The first element of the paragraph 4(a) of the UDRP Policy is satisfied.

C. Rights or Legitimate Interests

There is no evidence that the Respondent is commonly known by the disputed domain names or has any authorisation from the Complainant. The use of typographical variants of a well-known mark to direct users to competing websites does not give rise to any right or legitimate interest.

No Response has been filed, and the Complainant's prima facie case remains unrebutted.

The second element of the paragraph 4(a) of the UDRP Policy is satisfied.

D. Registered and Used in Bad Faith

The Respondent's knowledge of the Complainant's trade mark at the time of registration can readily be inferred from its global reputation. The deliberate misspelling of that trade mark, coupled with use of the disputed domain names to attract users to competing websites, amounts to bad faith under paragraphs 4(b)(iii) and 4(b)(iv) of the UDRP Policy. In addition, the presence of MX

records suggests potential for email fraud, which reinforces this conclusion.

The third element of the paragraph 4(a) of the UDRP Policy is satisfied.

E. Decision

For the reasons set out above, in accordance with paragraph 4(i) of the UDRP Policy and Rule 15 of the UDRP Rules, the Panel orders that the disputed domain names <arcelormittol.online> and <arcelomittol.online> be transferred to the Complainant.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arcelormittol.online**: Transferred
2. **arcelomittol.online**: Transferred

PANELLISTS

Name	**Yana Zhou**

DATE OF PANEL DECISION 2025-11-09

Publish the Decision