Decision for dispute CAC-UDRP-108083

Case number	CAC-UDRP-108083
Time of filing	2025-10-29 14:26:26
Domain names	azindusteel.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	INDUSTEEL France

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	AzInduSteel

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 several French and European trademarks including the term "INDUSTEEL":

- The International trademark INDUSTEEL n°745241 registered since October 5, 2000;
- The European Union trademark INDUSTEEL n°1920438 registered since October 6, 2000.

The Complainant also owns and communicates on Internet through various domain names, such as <industeel.fr> registered since March 17, 2004 and <industeel.net>, registered since December 13, 2006.

FACTUAL BACKGROUND

The Complainant, Industeel, is a subsidiary of ArcelorMittal, specializing in the production of hot-rolled and forged steel sheet, ingots and formed parts, and offering the widest range of sheet sizes in the world.

The Complainant has 6 production sites with a long tradition of metallurgical know-how and different product specialties, and employs over 2,000 people. With almost 200 years of experience in metallurgy, INDUSTEEL operates worldwide with 40 sales offices

in 40 different countries, notably in the United States, and is one of the leading international steel manufacturers.

The disputed domain name <azindusteel.com> was registered on October 15, 2025 and resolves to a website offering competing steel goods and services. MX servers are configured 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.

The Complainant's contentions can be summarised as follows:

A. The domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

The Complainant disputed domain name <azindusteel.com> is confusingly similar to its trademark INDUSTEEL as it is included in its entirety.

The addition of the term “AZ” is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant’s trademark. It 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 and its trademarks.

The addition of the suffix “.COM” does not change the overall impression of the disputed domain name 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 associated domain names.

Consequently, the disputed domain name <azindusteel.com> is confusingly similar to Complainant’s trademark INDUSTEEL.

B. The Respondent has no rights or legitimate interests in respect of the domain name

The Complainant is required to make out a prima facie case that the Respondent lacks rights or legitimate interests. Once such a 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 UDRP.

The Respondent is AzInduSteel. No company is registered with this name, and the Respondent has only registered the disputed domain name under this identity in order to increase the risk of confusion, which is evidence of a lack of legitimate interest.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the domain name <azindusteel.com> and he is not related in any way to the Complainant. The Complainant does not carry out any activity for, nor does it have any business with, the Respondent.

No license nor authorization has been granted to the Respondent to make any use of the Complainant’s trademark INDUSTEEL or apply for registration of the disputed domain name by the Complainant.

The disputed domain name resolves to a website offering competing steel goods and services.

Therefore, the Complainant contends that the disputed domain name was registered in order to create a likelihood of confusion with the Complainant and its trademarks. By profiting from the notoriety of the Complainant's trademark in the disputed domain name, the Respondent uses the disputed domain name to offer services in direct competition with the Complainant. Using a confusingly similar domain name that resolves to a competing webpage is not a bona fide offering of goods or services.

Thus, in accordance with the foregoing, the Complainant contends that the Respondent has no right or legitimate interests in respect of the disputed domain name <azindusteel.com>.

C. The domain name was registered and is being used in bad faith

The distinctiveness of the Complainant's trademark was confirmed in the CAC case No. 103740, INDUSTEEL France v. Albert Zaidner. Albert Zaidner ("Given the distinctive character of the Complainant's trademark, it is reasonable to infer that the Respondent registered the domain name with full knowledge of the Complainant's trademark").

Furthermore, the Complainant is a subsidiary of ARCELORMITTAL, the world leader in steelmaking and mining. With almost 200 years' experience in metallurgy, INDUSTEEL operates worldwide with 40 sales offices in 40 different countries, and is one of the leading international steel manufacturers.

Given the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent has registered the domain name with full knowledge of the Complainant's trademark.

Furthermore, the disputed domain name points to a website offering competing steel services.

The Respondent uses the domain name to divert Internet users searching for the Complainant's website to the Respondent's competing website, and to create a likelihood of confusion with the Complainant's mark for the Respondent's commercial gain by offering competing services. Past panels have established that it is evidence of bad faith.

Finally, the disputed domain name has been set up with MX records which suggests that it may be actively used for email purposes. Please see similar case CAC Case No. 102827, JCDECAUX SA v. Handi Hariyono ("There is no present use of the disputed domain name but there are several active MX records connected to the disputed domain name. It is concluded that it is inconceivable that the Respondent will be able to make any good faith use of the disputed domain name as part of an e-mail address.").

On those facts, the Complainant contends that Respondent has registered the disputed domain name <azindusteel.com> and is using 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

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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

The disputed domain name is confusingly similar to the Complainant's earlier trade mark containing it in its entirety and adding merely the generic letters 'az' and the gTLD .com which does not prevent said confusing similarity.

The Respondent is not authorised by the Complainant and is not commonly known by the disputed domain name. The disputed domain name was only just registered in 2025 and it is offering competing services using the Complainant's mark in its masthead. It does not make it clear that there is no connection with the Complainant. This is confusing and is, therefore, not a bona fide offering of services. Since the site attached to the disputed domain name is commercial this is not a legitimate non commercial fair use. The panel holds that the Respondent does not have any rights or legitimate interests in the disputed domain name.

The Respondent is attempting to divert consumers for commercial gain and disrupting the Complainant with a competing business. The disputed domain name has been registered and 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. **azindusteel.com**: Transferred

PANELLISTS

Name	**Dawn Osborne**

DATE OF PANEL DECISION 2025-11-21

Publish the Decision