# Decision for dispute CAC-UDRP-108120

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| Case number | CAC-UDRP-108120 |
| Time of filing | 2025-11-05 10:21:59 |
| Domain names | arcetormitalt.com |

## Case administrator

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| Name | Olga Slanařová (Case admin) |

## Complainant

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| Organization | ARCELORMITTAL |

## Complainant representative

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| Organization | NAMESHIELD S.A.S. |

## Respondent

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| Name | Elena Gimenez |

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 international trade mark registration No 947686 ARCELORMITTAL, first registered on 3 August 2007 in international classes 6, 7, 9, 12, 19, 21, and 39-42. The Complainant's trade mark registration predates the registration of the disputed domain name.

Furthermore, the Complainant owns a portfolio of domain names including and consisting of the name ARCELORMITTAL, including the domain <arcelormittal.com>, registered on 27 January 2006, which is connected to the Complainant’s official website through which it informs Internet users and customers about its products and services.

FACTUAL BACKGROUND

The Complainant is one of the largest steel producing companies in the world and is a market leader in steel for use in automotive, construction, household appliances and packaging with some 57.9 million tons of crude steel made in 2024. It operates extensive distribution networks.

The disputed domain name <arcetormitalt.com> was registered on 21 October 2025 and resolves to a parked page with commercial links. In addition, MX servers are configured for the disputed domain.

## PARTIES CONTENTIONS

The Complainant contends that all three elements of the UDRP have been fulfilled and it therefore requests the transfer of the disputed domain name to the Complainant.  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 trade mark 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

With regard to the first UDRP element, the Panel finds that the disputed domain name is confusingly similar to the Complainant's trade mark ARCELORMITTAL. Indeed, the disputed domain name incorporates the Complainant's trade mark in its entirety, save that the disputed domain name replaces the first letter “L” in the Complainant’s trade mark with the letter “T” and moves one of the letters “T” to the end of the Complainant’s trade mark. The Panel considers the present case to be a plain case of "typosquatting", i.e., the disputed domain name contains an obvious and intentional misspelling of the Complainant's trade mark, which is not sufficient to alter the overall impression of the designation as being connected to the Complainant’s trade mark. Minor alterations to the Complainant's trade mark do not prevent the likelihood of confusion between the disputed domain name and the Complainant, its trade mark and associated domain name. The Panel follows in this respect the view established by numerous other decisions that a domain name which consists of a common, obvious, or intentional misspelling of a trade mark is to be considered to be confusingly similar to the relevant trade mark (see, for example, CAC Case No. 103124, Boehringer Ingelheim Pharma GmbH & Co.KG v. Fundacion Comercio Electronico <boehringeringelheimpetrreebates.com>; CAC Case No. 101990, JCDECAUX SA v. Emma Purnell <jcdeceux.com>; CAC Case No. 101892, JCDECAUX SA v. Lab-Clean Inc <jcdacaux.com>; WIPO Case No. D2005-0941, Bayerische Motoren Werke AG, Sauber Motorsport AG v. Petaluma Auto Works <bmwsauberf1.com>; WIPO Case No. D2015-1679, LinkedIn Corporation v. Daphne Reynolds <linkedlnjobs.com>; CAC Case No. 103960, SCHNEIDER ELECTRIC SE v. michele Swanson <schnaider-electric.com> (“the obvious misspelling of the Complainant’s trademark SCHNAIDER ELECTRIC instead of SCHNEIDER ELECTRIC is a clear evidence of "typosquatting“); and CAC Case No. 103166, BOURSORAMA SA v. Cloud DNS Ltd <recover-bousorama.link> ("A domain name that contains sufficiently recognizable aspects of the relevant mark and uses a common name, obvious or intentional misspelling of that mark is considered by UDRP panels to be similar to the relevant mark for the purposes of the first element (see paragraph 1.9 WIPO Overview 3.0)").

With regard to the second UDRP element, there is no evidence before the Panel to suggest that the Respondent has made any use of, or demonstrable preparations to use, the disputed domain name in connection with a bona fide offering of goods or services. Neither is there any indication that the Respondent is making legitimate non-commercial or fair use of the disputed domain name. The Panel follows in this regard the view established by numerous other decisions that use of a domain to host a parked page comprising commercial links does not represent a bona fide offering of goods or services where such links compete with or capitalise on the reputation and goodwill of the complainant’s trade mark, or otherwise mislead Internet users (see, for example, Forum Case No. FA 970871, Vance Int’l, Inc. v. Abend <vancesecurity.com>, <vancesecurity.net>, <vancesecurity.org> (concluding that the operation of a pay-per-click website at a confusingly similar domain name does not represent a bona fide offering of goods or services or a legitimate non-commercial or fair use, regardless of whether or not the links resolve to competing or unrelated

websites or if the respondent is itself commercially profiting from the click-through fees); and WIPO Case No. D2007-1695, Mayflower Transit LLC v. Domains by Proxy Inc./Yariv Moshe <mayflowermovers.com> ("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 Panel further finds that the Respondent is not affiliated with or related to the Complainant in any way and is neither licensed nor otherwise authorised to make any use of the Complainant's trade mark or to apply for or use the disputed domain name. Additionally, the Whois information for the disputed domain name does not suggest that the Respondent is commonly known by the disputed domain name <arcetormitalt.com>. Past panels have held that a respondent was not commonly known by a disputed domain name if the Whois information was not similar to the disputed domain name, as is equally not the case here (see, for example, Forum Case No. FA 1781783, Skechers U.S.A., Inc. and Skechers U.S.A., Inc. II v. Chad Moston / Elite Media Group <bobsfromsketchers.com> ("Here, the WHOIS information of record identifies Respondent as "Chad Moston / Elite Media Group." The Panel therefore finds under Policy ¶ 4(c)(ii) that Respondent is not commonly known by the disputed domain name under Policy ¶ 4(c)(ii)."). Finally, as noted above, the disputed domain name is a typosquatted version of the Complainant's trade mark; the Panel follows the view expressed in other decisions that typosquatting can evidence that a respondent lacks rights and legitimate interests in the domain name (see, for example, Forum Case No. 1597465, The Hackett Group, Inc. v. Brian Herns / The Hackett Group < thehackettgroups.com> ("The Panel agrees that typosquatting is occurring, and finds this is additional evidence that Respondent has no rights or legitimate interests under Policy ¶ 4(a)(ii)."). Against this background, and absent 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.

With regard to the third UDRP element, it is reasonable to infer that the Respondent knew that the disputed domain name would be confusingly similar to the Complainant's trade mark, and that the Respondent registered the disputed domain name in full knowledge of the Complainant's trade mark. Indeed, it is likely that the disputed domain name would not have been registered if it were not for the Complainant's trade mark (see, for example, WIPO Case No D2004-0673 Ferrari Spa v. American Entertainment Group Inc <ferrariowner.com>). The Panel considers that the disputed domain name was intentionally designed to be confusingly similar with the Complainant's trade mark. Previous Panels have seen such actions as evidence of bad faith, which is a view the Panel in these proceedings shares (see, for example, Forum Case No. FA 877979, Microsoft Corporation v. Domain Registration Philippines <microssoft.com> ("In addition, Respondent's misspelling of Complainant's MICROSOFT mark in the <microssoft.com> domain name indicates that Respondent is typosquatting, which is a further indication of bad faith registration and use pursuant to Policy ¶ 4(a)(iii)."). Furthermore, the website related to the disputed domain name resolves to a parked page with commercial links. Based on the decisions of other panels in similar cases, the Panel regards this as an attempt by the Respondent to attract Internet users for commercial gain to its own website based on the Complainant's trade mark, and as further evidence of bad faith (see, for example, WIPO Case No D2018-0497, StudioCanal v. Registration Private, Domains By Proxy, LLC / Sudjam Admin, Sudjam LLC <studiocanalcollection.com> ("In that circumstance, whether the commercial gain from misled Internet users is gained by the Respondent or by the Registrar (or by another third party), it remains that the Respondent controls and cannot (absent some special circumstance) disclaim responsibility for, the content appearing on the website to which the disputed domain name resolve […] so the Panel presumes that the Respondent has allowed the disputed domain name to be used with the intent to attract Internet users for commercial gain, by creating a likelihood of confusion with the Complainant's trademark as to the source, affiliation, or endorsement of the Respondent's website to which the disputed domain name resolves. Accordingly, the Panel finds that the disputed domain name was registered and is being used in bad faith."). Indeed, it is difficult to conceive of any plausible actual or contemplated active use of the disputed domain name by the Respondent that would not be illegitimate on the grounds that it would constitute passing off, an infringement of consumer protection legislation, or an infringement of the Complainant's rights under trade mark law in circumstances where that disputed domain name corresponds to the Complainant's trade mark and is similar to the Complainant's genuine domain name currently used by the latter to promote its goods and services. Finally, it appears that the disputed domain name has been configured with MX records, which suggests that it may actively be used for e-mail purposes, or that such use is at least contemplated. In circumstances where there is, as is the case here, a high risk and likelihood of confusion on the part of Internet users as to the affiliation between the disputed domain name and the Complainant, the Panel concludes that there is no apparent basis on which the Respondent would be able to make any good faith use of the disputed domain name as part of an e-mail address (see, for example, WIPO Case No. D2023-2997, AB Electrolux v. domain admin <electroluxweb.com> ("Also, the activation of MX records (submitted by the Complainant in Annex V) reveals that the Respondent might intend to send suspicious emails such as phishing emails, which only emphasize the Respondent's bad faith in the use and registration of the disputed domain name."); Forum Case No. 1998634, Morgan Stanley v. Stone Gabriel <morgan-stanly.co> ("The Panel has determined that there are MX records for the disputed domain name, therefore it might be intended for use in an email phishing scheme."); and WIPO Case No. D2022-3791, TEVA Pharmaceutical Industries Limited v. Name Redacted <tevapharmamumbai.com> ("The Panel finds that Respondent's registration of MX records in respect of the disputed domain are further circumstance demonstrating bad faith registration and use of the disputed domain name."). Absent any response from the Respondent, or any other information indicating the contrary, the Panel therefore also accepts that the Respondent has registered and is using the disputed domain name in bad faith.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **arcetormitalt.com**: Transferred

## PANELLISTS

| Name | **Gregor Kleinknecht LLM MCIArb** |
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DATE OF PANEL DECISION 2025-12-07

Publish the Decision