Decision for dispute CAC-UDRP-108402

Case number	CAC-UDRP-108402
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Domain names	rh-arcelormittal.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	BERGI FZCO

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 trades under the company name ARCELORMITTAL, and is the owner of inter alia International Registration No. 947686 ARCELORMITTAL, registered on 3 August 2007, and of the domain <ARCELORMITTAL.COM>, registered and in use since 27 January 2006.

FACTUAL BACKGROUND

FACTS ASSERTED BY THE COMPLAINANT AND NOT CONTESTED BY THE RESPONDENT:

ARCELORMITTAL S.A. (the Complainant) is a global group of companies specializing in producing steel. The Complainant is the largest company of this kind in the world and is the market leader in steel for use in automotive, construction, household appliances and packaging with 71.5 million tonnes of crude steel made in 2020. It holds sizeable captive supplies of raw materials and operates extensive distribution networks.

The disputed domain name <rh-arcelormittal.com> was registered on February 8, 2026 and resolves to an inactive page. MX servers

are configured.

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 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

According to Paragraph 4(a) of the Policy, a complainant is required to prove each of the following three elements for obtaining an order that a domain name should be transferred or cancelled:

(i) the domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and

(ii) the respondent has no rights or legitimate interests in respect of the domain name; and

(iii) the domain name has been registered and is being used in bad faith.

The Panel has examined the evidence available to it and has come to the following conclusion concerning the satisfaction of the three elements of paragraph 4(a) of the Policy in these proceedings:

RIGHTS

The disputed domain name is confusingly similar to the Complainant's Trademark and company name ARCELORMITTAL and the domain name <rh-arcelormittal.com>. This finding is based on a well-established practice in evaluating the existence of a likelihood of confusion:

1) Disregarding the top-level suffix in the domain name (i.e. ".com"); and

2) Holding that the addition of single letters or abbreviations or the addition of generic or other non-distinctive terms such as the letter combination "rh", which will be understood as referring to "ressources humaines" in French ("human resources" in English), to distinctive names and trademarks do not prevent a likelihood of confusion from arising.

Even without analyzing or dissecting the disputed domain name, the name ARCELORMITTAL is clearly recognizable. There is no

other logical reason for combining these letters in this order and it is highly unlikely that the order was the result of pure chance. The differences are therefore not sufficient to prevent finding that the disputed domain name <rh-arcelormittal.com> is confusingly similar to the trademark ARCELORMITTAL.

The Panel therefore concludes that the Complainant has satisfied the requirement under paragraph 4(a)(i) of the Policy.

NO RIGHTS OR LEGITIMATE INTERESTS

The onus to make out a prima facie case that the Respondent lacks rights or legitimate interests is placed on the Complainant. However, once such a prima facie case is made, a respondent carries the burden of demonstrating rights or legitimate interests in a domain name. If the respondent fails to do so, the complainant is deemed to have satisfied paragraph 4(a)(ii) of the Policy, which has been concluded e.g. in WIPO case no. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.

The Complainant has put forward that the Respondent is not commonly known by the disputed domain name. Neither is the Respondent in any way commercially associated with the Complainant, nor in any way authorized or issued with a license by the Complainant to use the disputed domain name. This has not been contested by the Respondent. Instead, the Respondent failed to provide any information or evidence whatsoever that could have shown that it has relevant rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a) (ii) of the Policy).

The absence of credible evidence of use or demonstrable preparation of use of the disputed domain name in connection with a bona fide offering of products or services demonstrates the lack of legitimate interests within the meaning of paragraph 4(a) (ii) of the Policy. This is supported by the finding in WIPO case No. D2000-1164, Boeing Co. v. Bressi, in which the Panel stated that the “Respondent has advanced no basis on which the Panel could conclude that it has a right or legitimate interest in the domain names”.

The Panel therefore also concludes that the Respondent did not establish any right or legitimate interest to the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy). The Complainant has therefore also satisfied the requirement under paragraph 4(a)(ii) of the Policy.

BAD FAITH

The Panel finds that the Complainant has established that the disputed domain name was registered by the Respondent and is being used by the Respondent in bad faith. For this purpose, the Complainant has successfully put forward prima facie evidence that the Respondent has not made use, or demonstrable preparations to use, of either the disputed domain name in connection with a bona fide offering of goods or services, or of making a legitimate non-commercial or fair use of the disputed domain name.

On the contrary, the evidence provided by the Complainant shows that the disputed domain name is not being used at all but is instead inactive. Such inactivity in conjunction with the failure to file a response cannot be sufficient to satisfy the burden of proving that no bad faith is involved.

Finally, the domain name has been set up with MX records, suggesting that it may be actively used for email purposes. In CAC Case No. 102827, JCDECAUX SA v. Handi Hariyono, the Panel held that “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.”

The incorporation of a famous trademark into a domain name coupled with an inactive website may be considered to be evidence of bad faith registration and use, as was held e.g. in WIPO cases D2000-0003 - Telstra Corporation Limited v. Nuclear Marshmallows and D2000-0400 - CBS Broadcasting, Inc. v. Dennis Toeppen. The Complainant argues that the Respondent has registered the disputed domain name and is using it in bad faith. Such a finding was supported in CAC case 101804 ArcelorMittal v. Marjorie Secrest, <arce1ormittal.com>.

The Panel agrees with this assessment and concludes that the Respondent has registered and is using the disputed domain name in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy). The Complainant has therefore also satisfied the requirement under paragraph 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. **rh-arcelormittal.com**: Transferred

PANELLISTS

Name	Udo Pfleghar B.A. (Melb.)

DATE OF PANEL DECISION 2026-03-23

Publish the Decision