Decision for dispute CAC-UDRP-108644

Case number	CAC-UDRP-108644
Time of filing	2026-05-13 09:47:09
Domain names	corporativoarcelormittal.com

Case administrator

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

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	JHONATAN EDGAR

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 relies on the following trademark registration:

- International Trademark Registration under the Madrid system (IR) "ArcelorMittal" (word) no. 947686, registration date - August 3, 2007 and protected inter alia in Albania, Algeria, Armenia, Bosnia and Herzegovina, China, Cuba, Japan, Serbia, Switzerland and Ukraine.

The Complainant also refers to its domain name portfolio, including <arcelormittal.com> registered since January 27, 2006.

FACTUAL BACKGROUND

THE DISPUTED DOMAIN NAME IS IDENTICAL OR CONFUSINGLY SIMILAR TO A TRADEMARK OR SERVICE MARK IN WHICH THE COMPLAINANT HAS RIGHTS

The Complainant submits that it 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. It holds sizeable captive supplies of raw materials and operates extensive distribution networks.

The Complainant refers to its IR provided above and its domain name portfolio. The disputed domain name was registered on May 8, 2026.

The disputed domain name resolves to a website allegedly operated by "ARCELORMITTAL MEXICO" and claims to provide competing goods.

The Complainant's logo is displayed on the website at the disputed domain name.

MX servers are configured.

The Complainant states that the disputed domain name is confusingly similar to its trademark since the addition of the term “CORPORATIVO” (meaning “CORPORATE” in English) is not sufficient to escape the finding that the disputed domain name is confusingly similar to the Complainant’s trademark.

The Complainant contends that the addition of the “.com” TLD does not change the overall impression of the designation as being connected to the Complainant’s trademark.

THE RESPONDENT HAS NO RIGHTS OR LEGITIMATE INTERESTS IN RESPECT OF THE DISPUTED DOMAIN NAME

The Complainant asserts that the Respondent is not known as the disputed domain name.

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

Neither license nor authorization has been granted to the Respondent to make any use of the Complainant’s trademark or register the disputed domain name.

The Complainant claims that since the disputed domain name resolves to a website that offers competing products, this does not create rights or legitimate interests of the Respondent.

Furthermore, the Complainant submits that the Respondent uses the Complainant’s orange logo and its name, as it identifies as "ARCELORMITTAL MEXICO", which evidences that the Respondent intends to pass off as the Complainant.

Therefore, the Complainant states that the Respondent has no right or legitimate interest in respect of the disputed domain name.

THE DISPUTED DOMAIN NAME WAS REGISTERED AND IS BEING USED IN BAD FAITH

The Complainant's submissions on the third UDRP element can be summarized as follows:

- The Complainant's trademark is well-known and its well-known status and reputation were confirmed by prior UDRP panels;
- The Respondent makes direct references to the Complainant on his website and passes off as the Complainant;
- The Complainant is one of the world’s leading producers of steel products and enjoys a strong worldwide reputation, especially in Mexico, where the Respondent is located and where the Complainant operates via its local subsidiary. Given the distinctiveness of the Complainant's trademark and reputation, it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant's trademark and

- The Respondent's use of the disputed domain name for a competing website demonstrates bad faith and the fact that MX servers are configured further indicates bad faith, in the circumstances of this case.

Based on the above, the Complainant submits that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website or location or of a product or service on the respondent’s website or location, as provided by Policy, paragraph 4(b) (iv).

PARTIES CONTENTIONS

The Complainant's contentions are summarized in the Factual Background section above.

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

A. Identical or confusingly similar

The Complainant provided evidence of its IR for the word mark "ArcelorMittal".

As confirmed by WIPO Overview of WIPO Panel Views on Select UDRP Questions (“WIPO Overview 3.1”): “where the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case” (see sec. 1.2.1).

Therefore, the Complainant proved it has trademark rights.

With regard to confusing similarity, the Panel notes that the disputed domain name fully incorporates the Complainant's mark and includes a descriptive term "corporativo" (Spanish equivalent of "Corporate").

The Panel agrees with WIPO Overview 3.1 view that "where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element" (see sec. 1.8).

The trademark is clearly recognizable within the disputed domain name and the presence of a descriptive term does not affect confusing similarity.

The “.com” TLD is to be disregarded for the first element analysis as it is a standard registration requirement.

Therefore, the Panel finds that the first requirement of the Policy has been satisfied.

B. Rights or Legitimate Interests

The general rule in UDRP jurisprudence is the following:

(i) a complainant is required to make out a prima facie case that the respondent lacks rights or legitimate interests; and

(ii) once such a prima facie case is made, the burden shifts to the respondent who has to demonstrate his rights or legitimate interests in respect of the domain name under paragraph 4 (c) of the Policy.

If the respondent fails to do so, the second element of the Policy is satisfied, see sec. 2.1 of WIPO Overview 3.1.

The Respondent did not respond.

While failure to respond does not per se demonstrate that the Respondent does not have rights or legitimate interests, it allows the Panel to draw such inferences as it considers appropriate, see paragraph 14(b) of the Rules and **CAC Case No. 101284**: “A respondent is not obliged to participate in a proceeding under the Policy, but if it fails to do so, reasonable inferences may be drawn from the information provided by the complainant”.

The Complainant has made a prima facie case of the Respondent’s lack of rights or legitimate interests.

The Panel finds that the composition of the disputed domain name (fully incorporating the Complainant's mark plus a descriptive term) and the content of the website at the disputed domain name demonstrate impersonation and passive off.

The Complainant's logo is displayed on the website at the disputed domain name and the website creates an impression that it is operated by the Complainant's affiliate.

The Panel agrees with a consensus view expressed in sec. 2.13.1 of WIPO Overview 3.1 that "the use of a domain name for illegal activity (e.g., the sale of counterfeit goods or (unlicensed) pharmaceuticals, phishing/identity theft, distributing malware, unauthorized account access/hacking, **copycat sites, passing off,** or other types of fraud) can never confer rights or legitimate interests on a respondent".

Besides, the composition of the disputed domain name suggests affiliation with the Complainant (see sec. 2.5 of WIPO Overview 3.1).

Therefore, the Complainant successfully established the second UDRP element.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy lists non-exhaustive circumstances indicating registration and use in bad faith.

These circumstances are non-exhaustive and other factors can also be considered in deciding about the bad faith element.

It is well established that bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark (see sec. 3.1 of WIPO Overview 3.1).

Targeting with the intent to take unfair commercial advantage of the complainant's mark is important in establishing bad faith under the Policy.

As highlighted in "UDRP Perspectives on Recent Jurisprudence", updated on June 02, 2025, ("UDRP Perspectives") in sec. 3.3: "targeting can be established by either direct evidence (e.g. content of the website) or circumstantial evidence such as strength of the mark and nature of a disputed domain name (e.g. mark plus a term describing Complainant's business), timing of registration of a domain name and timing of trademark registration, geographic proximity of the parties".

Besides, as noted by Gerald M. Levine in "**Domain Name Arbitration**", a leading treatise on the subject of the UDRP and domain name disputes: "knowledge and targeting are prerequisites to finding bad faith registration" and "knowledge of a complainant's mark, if not directly evident or denied, can be inferred or rebutted from website's content, strength of the mark and respective timing of a mark's use in commerce and registration of the domain name" (see "**Domain Name Arbitration**", Gerald M. Levine, "Legal Corner Press", Second Edition, 2019, page 235).

Here, direct evidence indicates that the Respondent targeted the Complainant and such targeting was with an intent to profit commercially from the Complainant's trademark.

The Panel finds that the disputed domain name was registered and is being used in bad faith based on the following:

1. Timing of registration of the disputed domain name, many years after the Complainant registered its own trademark and the composition of the disputed domain name, that indicates that the Respondent was aware of the Complainant, its business and its trademarks on the date of registration of the disputed domain name;

2. The Complainant's marks and business are widely-known and used globally, including Mexico. The Complainant provided evidence of its business operation in Mexico, the Respondent's location, under the trademark. It is highly unlikely that the Respondent was unaware of the Complainant and its trademark when he registered the disputed domain name;
3. Composition of the disputed domain name, the nature of use of the disputed domain name and the website content, as explained above under the second element analysis, indicate Respondent's intent of impersonation / passing off. As stated in WIPO Overview 3.1: "given that the use of a domain name for per se illegitimate activity can never confer rights or legitimate interests on a respondent, such behavior is manifestly considered evidence of bad faith" (see sec. 3.1.4). The Panel agrees with this statement and finds that the content of the website at the disputed domain name (including the fact that the Complainant's logo is prominently displayed on the website) demonstrates bad faith. The fact that MX servers are configured is an additional factor of bad faith, taking into account other circumstances of this dispute.

4. Based on the above, the Panel finds that the Respondent's behavior falls within par. 4 b (iv) of UDRP and the Respondent by using the disputed domain name has intentionally attempted to attract, for commercial gain, Internet users to his web site, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement and that the Respondent targeted the Complainant with an attempt to take unfair advantage of the Complainant's mark and that in itself demonstrates bad faith registration and use.

The Panel holds that the third requirement of the Policy has been satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **corporativoarcelormittal.com**: Transferred

PANELLISTS

Name	**Igor Motsnyi**

DATE OF PANEL DECISION 2026-06-05

Publish the Decision