Decision for dispute CAC-UDRP-108625

Case number	CAC-UDRP-108625
Time of filing	2026-05-12 09:22:55
Domain names	Lyondellbaselbv.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	LyondellBasell Industries Holdings B.V.

Complainant representative

Organization	Barzanò & Zanardo Milano S.p.A.

Respondent

Name	Eric Watson

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, LyondellBasell Industries Holdings B.V owns several trademark registrations for the word mark LYONDELLBASELL, namely:

- EUTM No. 006943518, filed on 16 May 2008, registered on 21 January 2009;
- US Registration No. 3,634,012, registered on 9 June 2009;
- International Registration No. 972681, registered on 20 May 2008.

FACTUAL BACKGROUND

The Complainant, LyondellBasell Industries Holdings B.V., is a Netherlands private limited liability company within the LyondellBasell corporate group. The evidence submitted by the Complainant includes corporate materials describing LyondellBasell as one of the largest plastics, chemicals and refining companies in the world, with activities in chemicals, polymers, fuels and technologies and sales into approximately 100 countries.

The disputed domain name <lyondellbaselbv.com> was registered on 21 April 2026. The Registrar Verification identifies the Respondent as Eric Watson, with contact details in the Netherlands. The evidence concerning the disputed domain name further shows MX records configured for the 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.
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

Rights

Under paragraph 4(a)(i) of the Policy, the Complainant must establish that the disputed domain name is identical or confusingly similar to a trademark or service mark in which it has rights.

The Complainant has demonstrated registered rights in the LYONDELLBASELL word mark, including EUTM No. 006943518, US Registration No. 3,634,012 and International Registration No. 972681. These registrations long predate the registration of the disputed domain name, which the Registrar confirmed was created on 21 April 2026. The Panel has verified the validity of the LYONDELLBASELL trademark registrations relied upon in this decision.

The disputed domain name <lyondellbaselbv.com> incorporates the Complainant's LYONDELLBASELL mark in an almost complete and readily recognizable form. The only difference between the textual element of the mark LYONDELLBASELL and the second-level portion of the disputed domain name is the omission of the final letter "l" in "basell" and the addition of the letters "bv". Such a minor misspelling is insufficient to avoid a finding of confusing similarity. On the contrary, it is a typical form of typosquatting and leaves the Complainant's trademark clearly recognizable within the disputed domain name.

The added letters "bv" do not prevent confusing similarity. They are descriptive in the present context because "B.V." is the abbreviation for "besloten vennootschap", a Dutch private limited liability company form. The Complainant itself is a Dutch B.V. (see also WIPO Overview 3.0, section 1.8). The addition of "bv" therefore may even increase the impression that the disputed domain name refers to, or is affiliated with, the Complainant or a Dutch entity within its group.

The generic Top-Level Domain ".com" is a technical requirement of registration and is disregarded for the purpose of the comparison under the first element.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights. The first element of paragraph 4(a) of the Policy is satisfied.

No Rights or Legitimate Interests

A complainant is required to establish a prima facie case that the respondent lacks rights or legitimate interests. Once such a case is made, the burden of proof shifts to the respondent to demonstrate their rights or legitimate interests in the disputed domain name. Failure to do so results in the complainant satisfying paragraph 4(a)(ii) of the Policy (as per Article 2.1 of WIPO Jurisprudential Overview 3.0 and WIPO Case No. D2003-0455, Croatia Airlines d.d. v. Modern Empire Internet Ltd.).

The Panel finds that the Complainant has made out such a prima facie case. The record contains no indication that the Respondent is commonly known by the disputed domain name or by any name corresponding to "LyondellBasell" or "Lyondellbaselbv". The Respondent is identified as Eric Watson, using the email address <wegochemeuropebv@gmail.com>. Nothing in the record suggests that the Respondent owns any trademark or trade name rights corresponding to the disputed domain name.

There is also no evidence that the Complainant, or any related LyondellBasell entity, authorized the Respondent to register or use a domain name incorporating the LYONDELLBASELL mark, or any misspelling of that mark. Nor is there any evidence of a business relationship between the parties that could justify the Respondent's choice of the disputed domain name.

The manner in which the disputed domain name has been used does not support any claim to rights or legitimate interests. The evidence shows no genuine website offering bona fide goods or services under the disputed domain name.

Based on the contentions of the Complainant, the Panel therefore finds that the Complainant has successfully established a prima facie case that the Respondent lacks rights or legitimate interests. As the Respondent has failed to provide any relevant evidence demonstrating any such rights or legitimate interests, the Complainant is deemed to have satisfied the second element.

Bad faith

Under paragraph 4(a)(iii) of the Policy, the Complainant must establish that the disputed domain name has been registered and is being used in bad faith. Bad faith under the Policy includes circumstances showing that the respondent has targeted the complainant's mark in order to take unfair advantage of the mark's goodwill or to create a likelihood of confusion as to source, sponsorship, affiliation or endorsement.

Registration in bad faith

The Panel is satisfied that the disputed domain name was registered in bad faith. The Complainant's LYONDELLBASELL registrations were registered many years before the disputed domain name was registered. The mark is highly distinctive, and the evidence provided by the Complainant shows substantial business activity of the LyondellBasell group in the chemical and petrochemical sectors. It is implausible that the Respondent independently selected the disputed domain name by coincidence.

The composition of the disputed domain name reinforces this conclusion. The Respondent selected a close misspelling of the Complainant's LYONDELLBASELL trademark and added "bv", a corporate abbreviation that corresponds to the Complainant's Dutch legal form. This combination confirms deliberate targeting of the Complainant and its group.

Bad faith use

The Panel further finds that the disputed domain name is being used in bad faith. The absence of an active, genuine website does not prevent the finding of bad faith under the passive holding doctrine. Factors considered relevant in applying the passive holding doctrine include (i) the degree of distinctiveness or reputation of the complainant's mark; (ii) the respondent's failure to file a response or to provide evidence of actual or intended good faith use; (iii) the respondent's concealment of its identity or use of false contact information (in violation of its registration agreement); and (iv) the implausibility of any good faith use to which the domain name might be put (see also Telstra Corporation Limited v. Nuclear Marshmallows, WIPO Case No. D2000-0003, <telstra.org>).

Those factors are present here. The disputed domain name is a close misspelling of the Complainant's distinctive LYONDELLBASELL mark, with the added corporate suffix "bv" pointing specifically to the Complainant's Dutch corporate form. The Respondent has no apparent legitimate reason to use that composition. Any use of the disputed domain name for a website or email communication would be likely to mislead Internet users into believing that the domain name is operated by, affiliated with, or authorized by the Complainant or another LyondellBasell group company.

The existence of mail exchange records enables a domain name to send and receive email. Their configuration for a domain name so closely resembling the Complainant's mark creates a real risk of use for phishing, fraudulent email communications, impersonation, or so-called storage/terminal spoofing mentioned by the Complainant.

Given these circumstances, the Panel finds that the disputed domain name has been registered and is being used in bad faith. The third element of paragraph 4(a) of the Policy is satisfied.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **Lyondellbaselbv.com**: Transferred

PANELLISTS

Name	**Karel Šindelka**

DATE OF PANEL DECISION 2026-06-12

Publish the Decision