

Decision for dispute CAC-UDRP-108627

Case number CAC-UDRP-108627

Time of filing 2026-06-02 09:55:36

Domain names lyondelbasells.com

Case administrator

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

Complainant

Organization LyondellBasell Industries Holdings B.V.

Complainant representative

Organization Barzanò & Zanardo S.p.A.

Respondent

Name Annie Love

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 <lyondelbasells.com>.

IDENTIFICATION OF RIGHTS

The Complainant, LyondellBasell Industries Holdings B.V., owns numerous trademark registrations for the mark LYONDELLBASELL in multiple jurisdictions.

These include:

- United States Trademark No. 3634012 for LYONDELLBASELL;
- United States Trademark No. 5096173 for LYONDELLBASELL;
- European Union Trademark No. 006943518 for LYONDELLBASELL; and
- European Union Trademark No. 013804091 for LYONDELLBASELL.

The Complainant also relies on trademark registrations for the mark LYONDELL owned by its affiliated company, Lyondell Chemical Company, including European Union Trademark No. 001001866 for LYONDELL.

These trademark rights predate the registration of the disputed domain name <lyondelbasells.com>.

The Complaint further establishes that LyondellBasell Industries N.V. operates domain names incorporating the LYONDELLBASELL and LYONDELL marks, including <lyondellbasell.com> and <lyondell.com>.

FACTUAL BACKGROUND

The Complainant forms part of the LyondellBasell Group, an international chemical company with operations in more than 100 countries. The Group is one of the world's largest plastics, chemicals and refining companies and the largest licensor of polyethylene and polypropylene technologies. According to its 2024 Annual Report, it employs over 20,300 people worldwide and operates 75 manufacturing sites in 20 countries.

The Complainant maintains an online presence through, inter alia, its principal website at <lyondellbasell.com>, which has been in use since October 23, 2007, and <lyondell.com>, registered on February 21, 1997. The Complainant is also active on major social media platforms.

The disputed domain name <lyondelbasells.com> was registered on May 8, 2026.

At the time of filing of the Complaint, the disputed domain name resolved to a parking page containing a contact form. The evidence submitted with the Complaint also shows that MX records were configured for the disputed domain name.

PARTIES CONTENTIONS

COMPLAINANT:

The disputed domain name is confusingly similar to the Complainant's trademarks

The Complainant submits that it has established rights in the LYONDELLBASELL trademark through its registered trademark portfolio. It also relies on rights in the LYONDELL trademark owned by an affiliated company within the LyondellBasell Group.

According to the Complainant, the disputed domain name <lyondelbasells.com> incorporates the distinctive elements of its LYONDELLBASELL trademark and differs from it only by the omission of one letter "l" and the addition of the letter "s" at the end of the domain name.

The Complainant contends that these minor typographical changes do not prevent a finding of confusing similarity, as both the LYONDELLBASELL and LYONDELL trademarks remain recognizable within the disputed domain name.

The Complainant further submits that the generic Top-Level Domain ".com" is a technical requirement of domain name registration and should be disregarded for the purpose of assessing confusing similarity.

Accordingly, the Complainant submits that the disputed domain name is confusingly similar to its trademarks within the meaning of paragraph 4(a)(i) of the Policy.

The Respondent has no rights or legitimate interests in the disputed domain name

The Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name.

According to the Complainant, it has not licensed, authorized or otherwise permitted the Respondent to use the LYONDELLBASELL or LYONDELL trademarks or to register any domain name incorporating those marks.

The Complainant further states that there is no evidence that the Respondent is commonly known by the disputed domain name or has acquired any trademark or trade name rights corresponding to it.

The Complainant also submits that the disputed domain name is configured with active MX records, enabling it to send and receive e-mails. According to the Complainant, such use is consistent with phishing or storage spoofing activities and does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name.

Accordingly, the Complainant submits that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

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

The Complainant submits that the disputed domain name was registered and is being used in bad faith.

According to the Complainant, the LYONDELLBASELL and LYONDELL trademarks are highly distinctive and well known internationally. The Complainant contends that, in view of the reputation of these trademarks and the fact that the disputed domain name was registered many years after the Complainant's trademark rights arose, the Respondent must have been aware of the Complainant and its trademark rights when registering the disputed domain name.

The Complainant further argues that the disputed domain name constitutes a deliberate typographical variation of its LYONDELLBASELL trademark.

The Complainant also submits that, although the disputed domain name currently resolves to a parking page, passive holding does not prevent a finding of bad faith under the Policy.

In addition, the Complainant relies on evidence showing that active MX records have been configured for the disputed domain name. According to the Complainant, the disputed domain name is capable of being used for deceptive e-mail communications, including phishing and storage spoofing, and there is no plausible good-faith reason for such configuration.

Accordingly, the Complainant submits that the disputed domain name was registered and is being used in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

Therefore, the Complainant contends that the requirements of the Policy have been met and requests transfer of the disputed domain name.

RESPONDENT:

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 Complaint relies not only on trademark registrations owned by the named Complainant, LyondellBasell Industries Holdings B.V., but also on trademark registrations for the mark LYONDELL owned by Lyondell Chemical Company.

The Complaint explains that LyondellBasell Industries Holdings B.V., LyondellBasell Industries N.V., Lyondell Chemie Nederland B.V., and Lyondell Chemical Company are affiliated companies within the same corporate group and that the present Complaint is brought by the named Complainant on behalf of the other interested parties. The Complaint further specifies that any transfer of the disputed domain name should be directed to the named Complainant.

Section 1.4 of WIPO Overview 3.1 recognizes that a complaint may be brought by one related entity on behalf of other interested parties having rights in the relevant trademark. Having reviewed the Complaint and the supporting evidence, and in the absence of any objection by the Respondent, the Panel accepts that the named Complainant has standing to rely on the asserted LYONDELL trademark registrations for the purposes of this proceeding.

The Panel is satisfied that all procedural requirements under the UDRP have been met and that there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

The UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY of the Internet Corporation for Assigned Names and Numbers (ICANN) (the "Policy") provides that a complainant must prove each of the following to obtain transfer or cancellation of a domain name:

1. that respondent's domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights; and

2. that respondent has no rights or legitimate interests in respect of the domain name; and
3. the domain name has been registered and is being used in bad faith.

1) The disputed domain name is confusingly similar to a trademark in which the Complainant has rights (Para. 4(a)(i) of the Policy)

The Panel finds that the Complainant has established rights in the LYONDELLBASELL trademark through its registered trademark portfolio.

The disputed domain name <lyondelbasells.com> differs from the Complainant's LYONDELLBASELL trademark only by the omission of one letter "l" and the addition of the letter "s" at the end of the disputed domain name. These minor typographical alterations do not prevent the Complainant's trademark from remaining clearly recognizable within the disputed domain name and represent a classic example of typosquatting (WIPO Overview 3.1, sections 1.7 and 1.9).

The generic Top-Level Domain ".com" is a standard registration requirement and is disregarded for the purpose of assessing confusing similarity (WIPO Overview 3.1, section 1.11.1).

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's LYONDELLBASELL trademark within the meaning of paragraph 4(a)(i) of the Policy.

2) The Respondent lacks rights or legitimate interests in the disputed domain name (Para. 4(a)(ii) of the Policy)

Under the Policy, the Complainant is required to establish a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once such case is established, the burden of production shifts to the Respondent (WIPO Overview 3.1, section 2.1).

The Panel notes that the Complainant has not licensed, authorized, or otherwise permitted the Respondent to use the LYONDELLBASELL trademark. There is no evidence that the Respondent is commonly known by the disputed domain name.

The Panel further considers that the disputed domain name, being an obvious typographical variation of the Complainant's distinctive trademark, carries a high risk of implied affiliation with the Complainant and is therefore not capable of supporting rights or legitimate interests (WIPO Overview 3.1, section 2.5.1).

The evidence shows that the disputed domain name resolves to a parking page and that active MX records have been configured for the disputed domain name. Neither circumstance supports a finding of a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain name.

The Respondent has failed to submit a Response and has therefore not rebutted the Complainant's prima facie case.

In light of the above, the Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name within the meaning of paragraph 4(a)(ii) of the Policy.

3) The disputed domain name was registered and is being used in bad faith (Para. 4(a)(iii) of the Policy)

The Panel finds that the Complainant's LYONDELLBASELL trademark significantly predates the registration of the disputed domain name. The Panel further finds that the trademark is highly distinctive.

The disputed domain name constitutes an obvious typographical variation of the Complainant's trademark. In these circumstances, the Panel considers it more likely than not that the Respondent was aware of the Complainant and its trademark rights when registering the disputed domain name (WIPO Overview 3.1, section 3.2.1).

The evidence further shows that active MX records have been configured for the disputed domain name. While there is no evidence that the disputed domain name has in fact been used for deceptive e-mail communications, panels have consistently regarded the configuration of MX records as a relevant factor supporting a finding of bad faith where the surrounding circumstances indicate targeting of a complainant (WIPO Overview 3.1, section 3.4).

The disputed domain name currently resolves to a parking page. This circumstance does not prevent a finding of bad faith. Panels have consistently held that passive holding does not preclude such a finding where the surrounding circumstances demonstrate targeting of the complainant and the absence of any plausible good-faith use (WIPO Overview 3.1, section 3.3).

Taking all the circumstances into account, including the distinctiveness of the Complainant's trademark, the typographical nature of the disputed domain name, the Respondent's likely awareness of the Complainant, the configuration of active MX records, the absence of any Response, and the lack of any plausible good-faith explanation for the registration, the Panel concludes that the disputed domain name was registered and is being used in bad faith within the meaning of 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. lyondelbasells.com: Transferred

PANELLISTS

Name **Barbora Donathová**

DATE OF PANEL DECISION **2026-06-30**

Publish the Decision
