Decision for dispute CAC-UDRP-108848

Case number	CAC-UDRP-108848
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Domain names	lyondelllbaselll.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	LyondellBasell Industries Holdings B.V.

Complainant representative

Organization	Barzanò & Zanardo S.p.A.

Respondent

Name	Abudl Salam

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.) relies on the rights of the LyondellBasell group of companies in the trademarks LYONDELLBASELL and LYONDELL, and in particular on:

United States trademark LYONDELLBASELL No. 3634012 (application serial No. 77467965), a word mark, registered since May 7, 2008 in classes 1, 4, 17, 35 and 42; United States trademark LYONDELLBASELL No. 5096173 (application serial No. 86555801), a device mark, in classes 1, 4, 17, 42 and 45; European Union trade mark LYONDELLBASELL No. 006943518, a word mark, since May 16, 2008 in classes 1, 4, 17, 42 and 45; and European Union trade mark LYONDELLBASELL No. 013804091, a device mark, since March 6, 2015 in classes 1, 4, 17, 42 and 45, all held by the Complainant - LyondellBasell Industries Holdings B.V. (the "LYONDELLBASELL Trademark"); and

European Union trade mark LYONDELL No. 001001866, a word mark, since November 26, 1998 in classes 1, 4, 12, 17, 20, 25 and 42, held by Lyondell Chemical Company, which forms part of a larger portfolio of LYONDELL trademarks in several countries (the "LYONDELL Trademark").

The Complainant further asserts that LyondellBasell Industries N.V. owns domain names incorporating those terms, in particular <lyondellbasell.com>, used as the group's main website since October 23, 2007, and <lyondell.com>, registered on February 21, 1997.

The disputed domain name <lyondelllbaselll.com> was registered on June 16, 2026.

FACTUAL BACKGROUND

The Complainant belongs to the LyondellBasell group of companies, which is ultimately controlled by LyondellBasell Industries N.V., a company headquartered in the Netherlands and listed on the New York Stock Exchange since 2010. The group is a multinational chemical company whose origins go back to the discoveries in the field of polyethylene and polypropylene made in 1953–1954 by Professor Karl Ziegler and Giulio Natta, jointly awarded the Nobel Prize in Chemistry in 1963. In its present form the group results from the merger of Lyondell Chemical Company and Basell AF SCA.

The group is the third largest plastics, chemicals and refining company in the world and the largest licensor of polyethylene and polypropylene technologies, holding more than 6,200 patents and patent applications worldwide. It has more than 20,300 employees, manufactures at 75 sites in 20 countries and sells its products into more than 100 countries, through five operating segments. According to its 2025 annual report, the group generated net income of USD 563 million and EBITDA of USD 2.5 billion.

The Complaint is filed by LyondellBasell Industries Holdings B.V. also on behalf of Lyondell Chemie Nederland B.V., LyondellBasell Industries N.V. and Lyondell Chemical Company, which are related companies belonging to the same group and holding the rights in the marks on which the Complaint is based.

The disputed domain name <lyondelllbaselll.com> was registered on June 16, 2026 by Mr Abudl Salam, an individual based in the United States. The disputed domain name does not resolve to any active website. It is, however, configured with active MX records, so that it is capable of being used to send and receive e-mail. The Complainant's trademarks have previously been targeted by registrations of similar domain names used for storage spoofing, a form of phishing consisting in the offering for sale of non-existent storage capacities and stocks of materials at port terminals.

The Respondent did not file a Response.

PARTIES CONTENTIONS

The Complainant contends that each of the three elements set out in paragraph 4(a) of the Policy is satisfied.

As to the first element, the Complainant submits that a side-by-side comparison of the disputed domain name with the textual components of the LYONDELLBASELL Trademark and the LYONDELL Trademark shows that those marks are recognisable within the disputed domain name; that the only difference between the disputed domain name and the LYONDELLBASELL Trademark consists in the addition of two letters "l", so that the components LYONDELL and BASELL each end with three letters "l" instead of two, which amounts to a blatant misspelling of the mark and does not affect its power; and that the top-level domain ".com" is merely instrumental to the use of the Internet and does not prevent a finding of confusing similarity.

As to the second element, the Complainant submits that it need only establish a prima facie case that the Respondent lacks rights or legitimate interests, whereupon the burden of production shifts to the Respondent. The Complainant contends that neither it nor any of the related parties has any relationship whatsoever with the Respondent; that the Respondent has never received any approval, express or implied, to use their trademarks or to register any domain name identical or confusingly similar to them; that there is no evidence that the Respondent has acquired any rights in a trademark or trade name corresponding to the disputed domain name; and that the disputed domain name is configured to send e-mails, which indicates that it was registered to be involved in phishing or storage spoofing, such use being neither bona fide nor legitimate or fair.

As to the third element, the Complainant submits that the Respondent registered a domain name confusingly similar to its well-known prior trademarks and that, given the distinctiveness and reputation of the LyondellBasell business and trademarks worldwide, it is inconceivable that the Respondent could have done so without actual knowledge of the Complainant and of its rights, thereby intentionally attempting to attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant and its marks within the meaning of paragraph 4(b)(iv) of the Policy. The Complainant further submits that the disputed domain name is configured with active MX records, that no legitimate use of e-mail addresses under the disputed domain name is conceivable and that it is highly probable that such addresses were created in order to send fraudulent messages to the Complainant's customers, and that the use of a domain name for purposes other than hosting a website, such as e-mail, phishing and identity theft, may constitute bad faith.

NO ADMINISTRATIVELY COMPLIANT RESPONSE HAS BEEN FILED.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is 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

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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 was filed with the Czech Arbitration Court (the "CAC") in accordance with the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for the Uniform Domain Name Dispute Resolution Policy (the "Rules") and the CAC Supplemental Rules (the "Supplemental Rules").

The CAC verified that the Complaint satisfied the formal requirements of the Policy, the Rules and the Supplemental Rules. The CAC formally notified the Respondent of the Complaint and the proceedings commenced. The due date for a Response was duly set.

The Respondent did not submit any Response. Accordingly, the CAC notified the Respondent of its default. The Panel was appointed in accordance with the Rules. The Panel has submitted its Statement of Acceptance and Declaration of Impartiality and Independence, as required by the CAC to ensure compliance with the Rules.

The Complaint was filed by LyondellBasell Industries Holdings B.V. on its own behalf and on behalf of Lyondell Chemie Nederland B.V., LyondellBasell Industries N.V. and Lyondell Chemical Company. The Panel accepts, on the evidence on record, that these are related companies belonging to the same corporate group and that they have a specific common grievance against the Respondent. In accordance with established UDRP practice (section 1.4.2 of the WIPO Overview 3.1), one of several related parties may file a complaint on behalf of the other interested parties, which are then to be regarded as having standing in the proceedings. The Panel is satisfied that it is equitable and procedurally efficient to permit the consolidated filing, and that no party is prejudiced thereby. References in this decision to the Complainant are, where the context so requires, to be read as including the other related parties on whose behalf the Complaint has been filed, and any transfer is to be directed to LyondellBasell Industries Holdings B.V.

The language of the proceedings is English.

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

For the Complainant to succeed, it must prove, within the meaning of paragraph 4(a) of the Policy, that:

(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 will consider each of these requirements in turn. In the absence of a Response, the Panel accepts the Complainant's undisputed factual assertions as true, and may draw such inferences from the Respondent's default as it considers appropriate, in accordance with paragraphs 5(f) and 14(b) of the Rules. The Respondent's default does not, however, relieve the Complainant of its burden of proof under paragraph 4(a) of the Policy.

I. The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

Pursuant to 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 established, by the evidence on record, that the LyondellBasell group holds rights in the trademark

LYONDELLBASELL, in particular by virtue of United States trademark No. 3634012, registered since May 7, 2008, and European Union trade mark No. 006943518, registered since May 16, 2008, and in the trademark LYONDELL, in particular by virtue of European Union trade mark No. 001001866, registered since November 26, 1998. The LYONDELLBASELL Trademark is held by the Complainant itself and the LYONDELL Trademark by Lyondell Chemical Company, on whose behalf the Complaint has also been filed. The Complainant has therefore satisfied the threshold requirement of having trademark rights for the purposes of paragraph 4(a)(i) of the Policy. The date on which those trademarks were registered is not material to the first element and is considered below under the third element.

The disputed domain name <lyondelllbaselll.com> consists of the term "lyondelllbaselll" and of the generic top-level domain ".com". It is well established that the applicable generic top-level domain may typically be disregarded when assessing whether a domain name is identical or confusingly similar to a trademark, as it is a technical requirement of registration.

Disregarding the top-level domain, the disputed domain name differs from the LYONDELLBASELL Trademark solely by the addition of one letter "l" to each of the two components of that mark, so that the elements "lyondell" and "basell" appear with three final letters "l" instead of two. The order and the sequence of the letters are otherwise identical to those of the trademark. Such a minor and visually inconspicuous alteration of a distinctive mark is a classic instance of typosquatting, which panels have consistently found not to prevent a finding of confusing similarity; on the contrary, the trademark remains clearly recognisable within the disputed domain name. The dominant component "lyondell" of the LYONDELL Trademark is likewise recognisable within the disputed domain name.

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

II. The Respondent has no rights or legitimate interests in respect of the disputed domain name

Pursuant to paragraph 4(a)(ii) of the Policy, the Complainant must establish that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

In accordance with consistent UDRP practice, the burden of proof under this element rests upon the Complainant. However, given that proving a negative fact lying within the exclusive knowledge of the Respondent would entail an excessive evidentiary burden, it suffices for the Complainant to make out a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. Once such a prima facie case is established, the burden of production shifts to the Respondent to demonstrate that it does possess rights or legitimate interests within the meaning of paragraph 4(c) of the Policy. If the Respondent fails to come forward with relevant allegations or evidence, the Complainant is generally deemed to have satisfied the second element.

In the present case, the Complainant has submitted, and the Panel accepts, that:

1. The Respondent is identified in the relevant registration data as "Abudl Salam", a name which bears no resemblance to the disputed domain name, and there is nothing on record to suggest that the Respondent is commonly known by the disputed domain name within the meaning of paragraph 4(c)(ii) of the Policy.
2. The Respondent is not related in any way to the Complainant or to the other companies of its group, the Complainant carries out no activity for and has no business relationship with the Respondent, and the Complainant has granted the Respondent neither a licence nor any authorisation to use the LYONDELLBASELL Trademark or the LYONDELL Trademark, or to register any domain name identical or confusingly similar to those marks.
3. There is no evidence on record that the Respondent has acquired any trademark or trade name rights corresponding to the disputed domain name.
4. The disputed domain name does not resolve to any website and is therefore not used in connection with any bona fide offering of goods or services, nor for any legitimate non-commercial or fair use. It is nevertheless configured with active MX records and is thus set up for the sending and receiving of e-mails.

The Panel considers the last of those circumstances to be of particular significance. A domain name which is a deliberate

misspelling of a distinctive third-party trademark and which is configured for e-mail traffic while hosting no website carries an inherent risk of deceptive use, the recipients of any message sent from such an address being liable to believe that they are corresponding with the Complainant. No plausible legitimate purpose for such a configuration has been suggested to the Panel, and the Panel can conceive of none. The Complainant has further shown that its trademarks have already been targeted by comparable registrations used for storage spoofing (see decision CAC-UDRP-104498 and others), a form of phishing directed at operators of, and traders in goods stored at, port terminals. Conduct of that nature can never confer rights or legitimate interests.

The Panel therefore finds that the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent, having failed to file a Response, has not rebutted that prima facie case and has not put forward any of the circumstances set out in paragraph 4(c) of the Policy, or any other basis on which rights or legitimate interests might be founded.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the second element of paragraph 4(a) of the Policy is satisfied.

III. The disputed domain name has been registered and is being used in bad faith

Pursuant to 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. Those two requirements are cumulative. Paragraph 4(b) of the Policy sets out a non-exhaustive list of circumstances which, if found by the Panel to be present, shall be evidence of registration and use in bad faith.

a) Registration in bad faith

The trademarks on which the Complaint is based were registered many years before the registration of the disputed domain name on June 16, 2026, the earliest of them dating back to 1998 and the LYONDELLBASELL registrations to 2008. The Complainant's main website has been operated at <lyondellbasell.com> since October 23, 2007.

The terms "LYONDELL" and "LYONDELLBASELL" are coined, fanciful terms with no descriptive or generic meaning in any relevant language, and they enjoy a substantial reputation in the chemical, plastics and refining sector, in which the Complainant's group operates worldwide on the scale described above. The disputed domain name reproduces the LYONDELLBASELL Trademark in its entirety, in the same order and with the same letter sequence, altered only by the duplication of a single letter within each of its two components, and thus corresponds to a near-identical variant of the Complainant's own principal domain name. Such a combination cannot plausibly be the result of coincidence or of an independent creative process; it can only be explained by the Respondent's knowledge of the Complainant and by an intention to take advantage of the risk of confusion with its marks.

The Panel is accordingly satisfied that the Respondent had the Complainant and its trademarks in mind when registering the disputed domain name, and that the disputed domain name was registered in bad faith.

b) Use in bad faith

The disputed domain name does not resolve to any active website. It is well established that the absence of active use of a domain name does not preclude a finding of use in bad faith; the Panel must examine the totality of the circumstances of the case.

The circumstances relevant here are the following. First, the Complainant's trademarks are distinctive and enjoy a significant reputation, and the disputed domain name was registered as a deliberate misspelling of them. Second, the disputed domain name is configured with active MX records, so that it may be used to send and receive e-mails; a typosquatted domain name

so configured presents a clear and foreseeable risk of fraudulent correspondence being sent under the guise of the Complainant, and the Complainant has demonstrated that its marks have already been used for precisely that purpose in earlier registrations of the same kind directed at storage spoofing. Third, no conceivable good-faith use of the disputed domain name by the Respondent has been suggested or can be envisaged, given that any use of a domain name which so closely imitates the Complainant's marks would inevitably suggest an affiliation with the Complainant which does not exist. Fourth, the Respondent has failed to file any Response or to offer any explanation for the registration.

The Panel notes that the Complainant has relied on paragraph 4(b)(iv) of the Policy. Since the disputed domain name does not resolve to any website, the Panel does not base its finding on that provision. The circumstances listed in paragraph 4(b) are, however, expressly non-exhaustive, and the considerations set out above are sufficient in themselves to establish use in bad faith.

Taking those circumstances together, the Panel finds that the disputed domain name is being used in bad faith, and that the third element of paragraph 4(a) of the Policy is satisfied.

Conclusion

All three elements set out in paragraph 4(a) of the Policy having been established to the satisfaction of the Panel, the Panel concludes that the Complaint is well-founded and that the disputed domain name <lyondelllbaselll.com> should be transferred to the Complainant, LyondellBasell Industries Holdings B.V.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

1. **lyondelllbaselll.com**: Transferred

PANELLISTS

Name	**Petr Hostaš**

DATE OF PANEL DECISION 2026-08-20

Publish the Decision