

Decision for dispute CAC-UDRP-108850

Case number	CAC-UDRP-108850
Time of filing	2026-07-29 16:17:08
Domain names	lyondellbaselltx.com

Case administrator

Name	Olga Slanařová (Case admin)
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Complainant

Organization	LyondellBasell Industries Holdings B.V.
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Complainant representative

Organization	Barzanò & Zanardo S.p.A.
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Respondent

Name	Jessie Montez
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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 owns several trademarks for LYONDELLBASELL including:

- US trademark registration number 3634012, registered 9 June 2009 in classes 1, 4, 17, 35 and 42;
- US trademark registration number 5096173, registered 6 December 2016 in classes 1, 4, 17, 42 and 45;
- European Union trademark registration number 006943518, registered on 21 January 2009 in classes 1, 4, 17, 42 and 45;
- European Union trademark registration number 013804089, registered on 2 July 2025 in classes 1, 4, 17, 42 and 45; and
- International trademark registration number 972681, registered on 20 May 2008 in classes 1, 4, 17, 42 and 45.

FACTUAL BACKGROUND

The Complainant is one of the largest plastics, chemicals and refining companies in the world. The Complainant owns US, EU and International trademark registrations for LYONDELLBASELL. The Complainant owns numerous domain names including the term “lyondellbasell” such as <lyondellbasell.com>, which has been used as the Complainant’s main website since 23 October 2007.

The Respondent registered the disputed domain name on 6 October 2025 using a privacy service. It is set up with active MX records, which indicates it can be used to send and receive emails. It directs to a parking page that states it is under construction.

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

Paragraph 4(a) of the Policy requires the Complainant to prove that:

- i. the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- ii. the Respondent has no rights or legitimate interests in the disputed domain name; and
- iii. the disputed domain name has been registered and used in bad faith.

IDENTICAL OR CONFUSINGLY SIMILAR

It is well accepted that the first element functions primarily as a standing or threshold requirement. The test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. The Complainant's distinctive trademark is clearly recognisable in the disputed domain name. The addition of the letters "tx" does not avoid a finding of confusing similarity. The top-level domain ".com" is a registration requirement and can be disregarded when assessing confusing similarity.

The Panel concludes that the disputed domain name is confusingly similar to the Complainant's trademark and that the requirements of Paragraph 4(a)(i) of the Policy have been met.

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant owns numerous trademark registrations for LYONDELL BASELL and domain names that include the term 'lyondellbasell', which predate the registration of the disputed domain name by many years. The Complainant states it has no relationship with the Respondent and has not authorised the Respondent to use its trademark, nor authorised the Respondent to register a domain name incorporating its mark. The Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The burden of proof now shifts to the Respondent to show relevant rights.

The Respondent has not filed a Response, nor challenged any of the Complainant’s assertions. There is nothing to indicate that the Respondent is commonly known as the disputed domain name and is not licensed or authorised to use the Complainant’s trademark. The Panel concludes that the Respondent has no rights or legitimate interest in the disputed domain name and that the Complainant has met the requirements of paragraph 4(a)(ii) of the Policy.

REGISTERED AND BEING USED IN BAD FAITH

The Respondent has registered the disputed domain name that is confusingly similar to the Complainant’s distinctive trademark. That trademark predates the registration of the disputed domain name by many years. The disputed domain name resolves to a parking page that states it is under construction. The passive holding of the disputed domain name by the Respondent may amount to bad faith registration and use. See WIPO Case No. D2000-0003, Telstra Corporation Limited v. Nuclear Marshmallows. In the present case:

- i. the Complainant’s trademark enjoys a strong reputation;
- ii. the Respondent used a privacy service hiding her true identity and gave false contact details;
- iii. the Respondent has not filed a Response to the Complaint nor provided any evidence of actual or contemplated good faith use;
- iv. MX records have been set up, which suggests that the disputed domain name may be actively used for email purposes; and
- v. it is impossible to conceive of any plausible actual or contemplated use of the disputed domain name by the Respondent that would not infringe the Complainant’s rights.

Taking these factors into account, the Panel concludes that the disputed domain name was both registered and is being used in bad faith and that the requirements of paragraph 4(a)(iii) of the Policy have been met.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

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

- 1. lyondellbaselltx.com: Transferred

PANELLISTS

Name	Veronica Bailey
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DATE OF PANEL DECISION 2026-08-28

Publish the Decision