

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. ADM Company, ADM Company Inc
Case No. D2025-1782

1. The Parties

The Complainant is Archer-Daniels-Midland Company, United States of America (“United States”), represented by Innis Law Group LLC, United States.

The Respondent is ADM Company, ADM Company Inc, United States.

2. The Domain Name and Registrar

The disputed domain name <admsnutritions.com> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 2, 2025. On May 5, 2025, the Center transmitted to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 2025, the Registrar transmitted to the Center its verification response disclosing registrant and contact information for the disputed domain name, which differed from the named Respondent (Domain Admin) and contact information in the Complaint. On May 6, 2025, the Center provided the Complainant with the registrant and contact information disclosed by the Registrar, and invited the Complainant to amend the Complaint. The Complainant filed an amended Complaint on May 6, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceeding commenced on May 13, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was June 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 3, 2025.

The Center appointed Professor Ilhyung Lee as the sole panelist in this matter on June 12, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant, widely known by its initials, ADM, describes itself as “one of the world’s most premier agribusinesses.” “[O]riginally a food and ingredients company, its business areas also now include printing and publishing; financial and business management services; fuel production, including bioethanol and biodiesel; logistics services (agricultural storage and transportation services); and research and development services.” The Complainant has registered a number of ADM marks related to its various business operations, in the United States (e.g., registration number 1,386,430, registered on March 18, 1986; registration number 2,766,613, registered on September 23, 2003; registration number 7,689,651, registered on February 11, 2025), and in dozens of other countries. The Complainant also registered the domain names <adm.com> (on October 12, 1994) and <admandvantage.com> (on July 1, 2015).

The disputed domain name was registered on April 15, 2025. At the time of the Complaint, the disputed domain name resolved to an inactive website with instructional text apparently from the Registrar.

5. Parties’ Contentions

A. Complainant

The Complainant contends principally that: (i) the disputed domain name is identical or confusingly similar to a mark in which the Complainant has rights; (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) the disputed domain name has been registered and is being used in bad faith. In addition, the Complainant states, inter alia:

“Due to its promotion and continued global use of its name and brands, ADM has built up international goodwill and reliability in the ADM Mark among its consumers, wherein the ADM Mark is now well-known and famous.”

“The ADM mark was adopted and has been continuously used in the United States since at least as early as 1923 in connection with numerous products and services. Today, the ADM Mark is largely recognizable due to the international nature of ADM’s business, as well as the online presence ADM maintains.”

“[The Complainant] receiv[ed] notices of the Respondent’s fraudulent activities, including impersonation, deceptive email communications to defraud a third-party, and illicit use of ADM’s name and trademark in the disputed domain [name]. Upon information and belief, the Respondent registered the [disputed domain name] and subsequently created at least one associated email address, [...]@admsnutritions.com, to contact third parties.”

“[T]he Respondent, via the fraudulent [...]@admsnutritions.com email address, targeted an individual ..., posing as a representative of ADM and purporting to introduce ... a product from ADM.”

“[The] Respondent is part of a larger fraudulent scheme involving multiple domains, including <admnutrient.com>, <admnutrients.com>, <admsnutrients.com>, and <admnutrititions.com> aimed at defrauding third-party companies and individuals into placing orders for which the Respondent can request payment.”

“The Respondent’s continuous fraudulent actions clearly demonstrate an explicit intent to not only deceive unsuspecting individuals, but to exploit and tarnish the established reputation and credibility of the Complainant’s name, brand, and online presence in the furtherance of illicit schemes.”

B. Respondent

The Respondent did not reply to the Complainant’s contentions. Under paragraphs 5(f) and 14(a) of the Rules, the Panel may decide the dispute based on the Complaint. Paragraph 14(b) allows the Panel to draw appropriate inferences from the Respondent’s default.

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has demonstrated rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Complainant's ADM mark appears prominently and at the beginning of the disputed domain name <admsnutritions.com>. Although the addition of "snutritions" may bear on the assessment of the second and third elements of paragraph 4(a) of the Policy, the Panel finds that this addition does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The generic Top-Level Domain ("gTLD") ".com", a technical registration requirement, is disregarded in the consideration of this element. [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Here, the Complainant has met its initial burden of making a prima facie showing that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The burden shifts to the Respondent to demonstrate any such rights or legitimate interests. Paragraph 4(c) of the Policy provides a non-exhaustive list of circumstances that may demonstrate the Respondent's rights or legitimate interests in the disputed domain name.

The Respondent has defaulted. It has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise. The Panel is unable to ascertain any evidence that would demonstrate the Respondent's rights or legitimate interests in the disputed domain name.

The Panel finds that the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances that are evidence of "registration and use of a domain name in bad faith." Panels have held that other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Here, the Complainant's main website at "www.adm.com" states at the outset: "ADM is a global leader in both human and animal *nutrition*." The Respondent registered the disputed domain name <admsnutritions.com> that includes both of the highlighted terms. In addition to registering the disputed domain name, the Respondent created and used the email address "[...][@admsnutritions.com](mailto:[...]@admsnutritions.com)" to contact third parties, posing as a representative of the Complainant. Panels have held that the use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending emails. [WIPO Overview 3.0](#), section 3.4. Under these circumstances, the Panel finds the requisite element of bad faith to be present.

Although the disputed domain name resolves to an inactive site, having reviewed the available record, the Panel finds that this does not prevent a finding of bad faith under the Policy. [WIPO Overview 3.0](#), section 3.3.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <admsnutritions.com> be transferred to the Complainant.

/Ilhyung Lee/

Ilhyung Lee

Sole Panelist

Date: June 20, 2025