

ADMINISTRATIVE PANEL DECISION

ArcelorMittal v. wu fan
Case No. D2025-1262

1. The Parties

The Complainant is ArcelorMittal, Luxembourg, represented by Nameshield, France.

The Respondent is wu fan, Hong Kong, China.

2. The Domain Name and Registrar

The disputed domain name <arcelormittal.one> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the “Center”) on March 27, 2025. On March 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 1, 2025, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication in Chinese and English to the Complainant on April 4, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint in English on April 7, 2025.

On April 4, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On April 7, 2025, the Complainant requested English to be the language of the proceedings. The Respondent did not submit any comment on the Complainant’s submission.

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 proceedings commenced on April 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 6, 2025.

The Center appointed Rachel Tan as the sole panelist in this matter on May 14, 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 is one of the largest steel producing companies in the world. The Complainant is recognized as a market leader in steel for use in automotive, construction, household appliances and packaging with around 58 million tons of crude steel made in 2024. It also holds sizeable captive supplies of raw materials and operates extensive distribution networks with customers in around 130 countries.

The Complainant is the owner of its ARCELORMITTAL trade mark worldwide, including International Registration No. 947686 for ARCELORMITTAL registered on August 3, 2007 in Classes 6, 7, 9, 12, 19, 21, 39, 40, 41 and 42, designating inter alia, China.

The Complainant is also the registrant of its official website <arcelormittal.com> (registered on January 27, 2006). The Complainant has used its ARCELORMITTAL mark on the website.

The disputed domain name was registered on March 26, 2025. Based on the evidence submitted by the Complainant, the disputed domain name previously resolved to an authentication website in English which collected personal information of users. The website also displayed the Complainant's ARCELORMITTAL mark. At the time of this Decision, the disputed domain name does not resolve to an active website.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is identical to the Complainant's ARCELORMITTAL mark. The Complainant's ARCELORMITTAL mark is incorporated in the disputed domain name in its entirety. The additional generic Top-Level Domain ("gTLD"), i.e. ".one" does not prevent a finding of confusing similarity.

The Complainant further alleges that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has not received any licence or authorisation of any kind to use the Complainant's trade mark in a domain name or otherwise. There is no evidence that the Respondent is commonly known by the disputed domain name. Moreover, the Complainant has submitted evidence and alleges that the disputed domain name was previously used to operate an authentication website which collected personal information of users and displayed the Complainant's ARCELORMITTAL mark. Accordingly, the Respondent is not using the disputed domain name for a bona fide offering of goods or services.

Finally, the Complainant argues that the disputed domain name was registered and is being used in bad faith. The disputed domain name was registered long after the use and registration of the Complainant's ARCELORMITTAL mark. The disputed domain name incorporates the Complainant's well-known mark in full, and the Respondent is using it to intentionally attract Internet users to the Respondent's website for the

purposes of commercial gain, causing disruption of the Complainant's business and creating a likelihood of confusion regarding the source, sponsorship, affiliation, or endorsement of the website at the disputed domain name.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

6.1 Preliminary Issue: Language of the Proceedings

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English for several reasons, including the fact that (i) the disputed domain name is formed by words in Roman characters and not in Chinese script; (ii) English is the language most widely used in international relations; and (iii) the Complainant would incur substantial expenses from translating all documents into Chinese.

The Respondent did not make any submissions with respect to the language of the proceedings.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.5.1).

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

6.2 Substantive Issues

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 trade mark and the disputed domain name. [WIPO Overview 3.0](#), section 1.7.

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

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Lastly, it is permissible for the Panel to disregard the applicable TLD in the disputed domain name, i.e. ".one". It is accepted by UDRP panels that the practice of disregarding the TLD in determining identity or confusing similarity is applied irrespective of the particular TLD (including with regard to "new gTLDs") and the ordinary meaning ascribed to a particular TLD would not necessarily impact assessment of the first element. [WIPO Overview 3.0](#), sections 1.11.1 and 1.11.2. See also *FXCM Global Services, LLC. v. Privacy Protect, LLC (PrivacyProtect.org) / lin chen*, WIPO Case No. [D2020-1047](#).

Based on the available records, the Panel finds 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 recognised 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 of production 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.

Having reviewed the available record, the Panel 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 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 Respondent has not provided evidence of a legitimate noncommercial or fair use of the disputed domain name or reasons to justify the choice of the disputed domain name that is identical to the Complainant’s ARCELORMITTAL mark. There is also no indication to show that the Respondent is commonly known by the disputed domain name or otherwise has rights or legitimate interests in it. Moreover, the Complainant has not granted the Respondent any licence or authorisation to use the Complainant’s ARCELORMITTAL mark or register the disputed domain name.

The Panel notes that the disputed domain name previously resolved to a website which included a login form allegedly in order to collect personal information of users. The website noticeably displayed the Complainant’s ARCELORMITTAL mark. The website did not accurately and prominently disclose the lack of a relationship between the Complainant and the Respondent. Therefore, such use of the disputed domain name would not support a claim of rights or legitimate interests or a bona fide use.

Furthermore, the nature of the disputed domain name carries a high risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

None of the circumstances in paragraph 4(c) of the Policy are present in this case. For these reasons, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

Based on the available records, the Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Complainant’s ARCELORMITTAL mark was registered well before the registration of the disputed domain name. Through use and advertising, the Complainant’s mark is known throughout the world. Search results using the key word “arcelormittal” on Internet search engines refer exclusively to the Complainant. The Panel notes that the disputed domain name previously resolved to

a website displaying the Complainant's ARCELORMITTAL mark. As such, the Respondent clearly knew of the Complainant's mark when registering the disputed domain name. [WIPO Overview 3.0](#), section 3.2.2.

The Panel is of the view that by using the disputed domain name, the Respondent has intentionally attempted to attract, likely for commercial gain, Internet users to the Respondent's website, by creating a likelihood of confusion with the Complainant's ARCELORMITTAL mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website. This demonstrates bad faith registration and use of the disputed domain name, as provided in paragraph 4(b)(iv) of the Policy.

The Panel notes that the disputed domain name currently resolves to an inactive website. The current inactive use of the disputed domain name in this case would not prevent a finding of bad faith under the doctrine of passive holding. In its determination, the Panel considers the degree of reputation of the Complainant's ARCELORMITTAL mark, the Respondent's failure to respond in the face of the Complainant's bad faith allegations, as well as the implausibility of any good faith use to which the disputed domain name may be put especially considering the disputed domain name is inherently misleading. [WIPO Overview 3.0](#), section 3.3.

Given all the circumstances of the case, the Panel finds that the Respondent must have known of the Complainant before registering the disputed domain name, and considering the Respondent's lack of rights or legitimate interests, and its use of the disputed domain name as discussed above, the Panel is led to conclude that the disputed domain name was registered and is being used in bad faith.

Based on the available records, 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 <arcelormittal.one> be transferred to the Complainant.

/Rachel Tan/

Rachel Tan

Sole Panelist

Date: May 28, 2025