

## **ADMINISTRATIVE PANEL DECISION**

Metso Corporation v. Sean Lenard  
Case No. D2025-1787

### **1. The Parties**

The Complainant is Metso Corporation, Finland, represented by Roschier Brands, Attorneys Ltd., Finland.

The Respondent is Sean Lenard, United States of America.

### **2. The Domain Name and Registrar**

The disputed domain name <metsochemicals.com> is registered with Global Domain Group LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 5, 2025. On May 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 6, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details. The Center sent an email communication to the Complainant on May 7, 2025, requesting an amendment to the Complaint to reflect the correct Registrar. The Complainant filed an amended Complaint on the same day.

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 May 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 28, 2025.

The Center appointed Jeremy Speres as the sole panelist in this matter on June 13, 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 trades in sustainable technologies, end-to-end solutions and services for the aggregates, minerals processing and metals refining industries in approximately 50 countries globally under its METSO mark, which has been recognized as being widely known by a prior UDRP panel. See *Metso Corporation v. li xiao dong*, WIPO Case No. [D2024-2170](#).

The Complainant's mark is registered in various jurisdictions, including International Trademark Registration No. 940891 METSO in classes 9, 11, 17, 37, and 42, designating the Respondent's jurisdiction of the United States of America amongst others, and having a registration date of June 28, 2007.

The disputed domain name was registered on February 6, 2025, and currently resolves to a website headed "Metso Chemicals", claiming to sell "research chemicals" but offering various illegal narcotics for sale, including under the names "Crystal Meth", "MDMA Crystal", and "Amphetamine".

#### 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 was registered and has been used in bad faith in order to take advantage of the Complainant's mark for the purpose of concealing illegal activity by associating the disputed domain name's website with a well-known mark providing a veil of legitimacy.

##### B. Respondent

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

#### 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 trademark 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 shown rights in respect of a trademark 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 confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here "chemicals", may bear on assessment of the second and third elements, the Panel finds the addition of such term 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 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 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 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 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.

Panels have held that the use of a domain name for illegal activity, here offering illegal narcotics for sale, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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.

For the following reasons, the Panel finds that it is more likely than not that the Respondent registered and has used the disputed domain name to take advantage of confusion with the Complainant’s mark for the Respondent’s commercial gain, falling squarely within paragraph 4(b)(iv) of the Policy.

Panels have consistently found that the mere registration of a domain name that is confusingly similar to a widely known trademark, as in this case, by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The Complainant’s mark was registered and had been in use by the Complainant for numerous years prior to registration of the disputed domain name. Internet searches for the Complainant’s mark, as well as for the second-level portion of the disputed domain name, “metsochemicals”, return results overwhelmingly relating to the Complainant, which underscores the risk of confusion. The Complainant’s business makes use of and trades in chemicals and its well-known mark is thus associated with chemicals. In these circumstances, there is no conceivable good faith use of the disputed domain name, which points to bad faith targeting. [WIPO Overview 3.0](#), section 3.1.4.

Given the illegal use to which the disputed domain name has been put, the Panel concludes that two possibilities are likely insofar as the Respondent’s intentions are concerned. Either the Respondent sought to lead users to believe that it was the Complainant offering the products for sale, thereby taking advantage of the Complainant’s mark to lend credibility to the Respondent’s activities, or the Respondent sought to rely on the Complainant’s mark as a way of disguising its illegal activity behind the veil of a legitimate mark. Both of these alternatives take advantage of the Complainant’s mark for illegal activity, which is clearly in bad faith. [WIPO Overview 3.0](#), section 3.4.

The Panel draws an adverse inference from the Respondent's failure to take part in the present proceeding where an explanation is certainly called for. [WIPO Overview 3.0](#), section 4.3.

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 <metsochemicals.com> be transferred to the Complainant.

*/Jeremy Speres/*

**Jeremy Speres**

Sole Panelist

Date: June 27, 2025