

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Zrh Vendore
Case No. D2025-1871

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 Zrh Vendore, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <adrn-tr.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 9, 2025. On May 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 13, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 14, 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 amendment to the Complaint on May 15, 2025.

The Center verified that the Complaint together with the amendment to the 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 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 19, 2025.

The Center appointed Eva Fiammenghi as the sole panelist in this matter on June 30, 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 Archer-Daniels-Midland Company ("ADM"), a multinational corporation established in 1902 and incorporated in the State of Delaware, United States. ADM is a global leader in the agricultural origination and processing industry, operating in over 200 countries, with more than 38,000 employees and over 800 facilities worldwide. In 2023, ADM recorded net sales exceeding USD 93 billion, confirming its position as one of the world's foremost agribusinesses.

The Complainant operates under the trademark ADM, which it has used continuously in commerce since at least 1923.

The Complainant owns numerous registrations for the ADM trademark around the world. For the purposes of this proceeding, the Complainant relies in particular on the following trademark registrations:

-United States Trademark ADM Reg. No. 1,386,430, registered on March 18, 1986, in Classes 1, 4, 12, 16, 29, 30, 31, 33 and 39; and

-United States Trademark ADM Reg. No. 2766613, registered on September 23, 2003, in Classes 16, 35, 36, and 42.

The disputed domain name <adrn-tr.com> was registered on April 20, 2025, by the Respondent using a privacy protection service. The disputed domain name was used in connection with fraudulent email communications impersonating the Complainant by requesting one of the Complainant's vendors to divert payments to a fraudulent bank account.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under paragraph 4(a) of the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the ADM trademark, in which the Complainant has established long-standing rights through both registered and unregistered use. The only differences are the omission of the letter "m" and the insertion of letters "rn-tr". Prior UDRP panels have consistently found domain names such as <adm-sales.com>, <adm-corps.com>, and <adm-project.com> to be confusingly similar to the ADM mark.

The Complainant further asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not affiliated with the Complainant and has never been authorized to use the ADM name or trademark. There is no evidence that the Respondent has ever used or prepared to use the disputed domain name for any bona fide offering of goods or services.

The disputed domain name was registered and used in bad faith. The Respondent used it to impersonate the Complainant's employees in a fraud targeting the Complainant's vendor. The Respondent created fake email addresses to send false payment instructions and invoices.

Based on these contentions, the Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed the Complainant must prove that:

- (i) the disputed 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 disputed domain name; and
- (iii) the disputed domain name was registered and is being used in bad faith.

These elements are discussed in turn below. In considering these elements, paragraph 15(a) of the Rules provides that the Panel shall decide the Complaint on the basis of statements and documents submitted and in accordance with the Policy, the Rules and any other rules or principles of law that the Panel deems applicable.

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 Panel finds the trademark is recognizable 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 omission of the letter "m" and the addition of other terms (here, "rn-tr") may bear on assessment of the second and third elements, the Panel finds the omission of the letter "m" and the addition of such terms do 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](#), sections 1.8 and 1.9.

The generic Top-Level Domain (".com") is typically disregarded for the purpose of comparison under the first element. [WIPO Overview 3.0](#), section 1.11.

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 shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name. [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 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 is not affiliated with the Complainant, nor authorized to use its ADM trademark. There is no evidence that the Respondent is or has ever been commonly known by the disputed domain name, nor is there any legitimate noncommercial or fair use associated with it. The disputed domain name was not used for any bona fide offering of goods or services. Instead, the record shows that it was used to impersonate the Complainant in a phishing scheme targeting one of the Complainant’s commercial partners.

Panels have held that the use of a domain name for illegal activity - here, impersonation and fraud via email phishing in an attempt to mislead and extract funds from a business partner of the Complainant - 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.

In the present case, the Panel notes that the Respondent intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s ADM trademark, as described under paragraph 4(b)(iv) of the Policy.

The Respondent registered the disputed domain name and used it to impersonate the Complainant in a fraudulent email scheme targeting one of the Complainant’s commercial partners. The email demonstrates a deliberate attempt to deceive the recipient into believing that the emails originated from the Complainant’s legitimate corporate domain name and personnel.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but 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.

Panels have held that the use of a domain name for illegal activity such as phishing and impersonation constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having review the records, the Panel finds that the disputed domain name was registered and is being used in bad faith.

The fact that the Respondent did not respond to the Complaint further supports this finding of bad faith. The Panel finds the third element of the Policy has been established.

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 <adrn-tr.com> be transferred to the Complainant.

/Eva Fiammenghi/

Eva Fiammenghi

Sole Panelist

Date: July 14, 2025