

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Musa Muhammed
Case No. D2025-1904

1. The Parties

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

The Respondent is Musa Muhammed, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <admsalesdept.com> is registered with OwnRegistrar, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 12, 2025. On May 13, 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 confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 6, 2025.

The Center appointed Tommaso La Scala 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 in this administrative proceeding is Archer-Daniels-Midland Company (widely known by its initials as “ADM”), a well-known leading agribusiness corporation serving 200 countries with more than 800 facilities worldwide and over 38,000 employees.

The Complainant owns several registrations for ADM, including:

- US Trademark Registration No. 2766613, registered September 23, 2003, in classes 16, 35, 36, and 42; and
- US Trademark Registration No. 1386430 registered March 18, 1986, in classes 1, 4, 12, 16, 29, 30, 31, 33, and 39.

The disputed domain name was registered on April 21, 2025, and it has been used to fraudulently impersonate the Complainant by sending a message on a third party’s website with an email address associated with the disputed domain name. The disputed domain name also resolves to a website prominently displaying the Complainant’s trademark and the photos from the real Complainant’s website.

5. Parties’ Contentions

A. Complainant

The Complainant claims that:

- (a) The disputed domain name is confusingly similar to the Complainant’s trademarks;
- (b) the Respondent lacks any rights or legitimate rights in the disputed domain name; and
- (c) the Respondent registered and is using the disputed domain name in bad faith, namely for impersonating the Complainant in order to mislead Internet user for undue commercial purposes.

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 established rights in the ADM trademark.

The disputed domain name consists of the ADM trademark with the sole addition of the wording “sales dept”: this Panel agrees with the Complainant’s assertion that the Complainant’s mark is recognizable within the disputed domain name, and the additional terms in the disputed domain name do not prevent a finding of the confusing similarity between the Complainant’s trademarks and the disputed domain name.

Therefore, the Panel finds the disputed domain name to be confusingly similar to the ADM trademark in which the Complainant has rights.

Accordingly, 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.

This Panel finds that the Complainant has made a prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name. As a matter of fact, the Respondent does not appear to be commonly known by the name “ADM” and/or any similar name. The Respondent has no connection to or affiliation with the Complainant, and the Complainant has not licensed or otherwise authorized the Respondent to use or register any domain name incorporating the Complainant’s trademarks. The Respondent does not appear to make any legitimate noncommercial or fair use of the disputed domain name, nor any use in connection with a bona fide offering of goods or services. Lastly, the Respondent has used the disputed domain name to illicitly impersonate the Complainant through a fake email address and a website.

Having reviewed the available record and considering that Respondent has not rebutted 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 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.

The Complainant has documented that the Respondent has purposely registered and used the disputed domain name to attempt to defraud others by impersonating an employee of ADM and mislead at least one victim into believing they had received legitimate business communications from the Complainant.

This conduct is, in the Panel’s view, sufficient to show that the Respondent not only knew of the Complainant and its trademarks, but intentionally intended to impersonate the latter and divert Internet users accordingly.

The Panel finds that the Respondent’s use of the disputed domain name constitutes a disruption of the Complainant’s business and qualifies as bad faith registration and use under the Policy.

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 <admsalesdept.com> be transferred to the Complainant.

/Tommaso La Scala/

Tommaso La Scala

Sole Panelist

Date: June 25, 2025