

## **ADMINISTRATIVE PANEL DECISION**

Archer-Daniels-Midland Company v. Timothy Philip, TKP Max  
Case No. D2025-2375

### **1. The Parties**

The Complainant is Archer-Daniels-Midland Company, United States of America ("USA" and "U.S"), represented by Innis Law Group LLC, USA.

The Respondent is Timothy Philip, TKP Max, United Kingdom ("UK").

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

The disputed domain name <admmn.com> is registered with GMO Internet, Inc. d/b/a Discount-Domain.com and Onamae.com (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 16, 2025. On June 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 18, 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 (unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 20, 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 June 20, 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 June 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 14, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 15, 2025.

The Center appointed Erica Aoki as the sole panelist in this matter on July 21, 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 a leading global agribusiness company established in 1902, with operations in over 200 countries and more than 800 facilities worldwide. The Complainant is well known for its acronym and owns multiple international trademark registrations for ADM, including:

- United States Registration No. 1,386,430, registered on March 18, 1986, with first use in commerce in 1923 (Classes 1, 4, 12, 16, 29, 30, 31, 33, 39);
- United States Registration No. 2,766,613, registered on September 23, 2003, covering financial services (Classes 16, 35, 36, 42);

Additional registrations in various jurisdictions.

The Complainant operates its primary domain name at <adm.com>, which is a central platform for corporate communications, client interactions, and commercial operations.

The disputed domain name was registered on May 29, 2025, and does not resolve to an active website. Although the domain does not resolve to an active website, it has been used in connection with a phishing scheme involving impersonation of ADM employees.

Specifically, the Respondent registered the disputed domain name and created at least six email accounts using the disputed domain name for fraudulent purposes.

According to the evidence submitted, between May 16 and June 4, 2025, the Complainant was engaged in legitimate email communications with a Spanish business partner, regarding the finalization of a sunflower oil purchase. These communications included sensitive details about product specifications and concluded with the coordination of pending payment.

On June 4, 2025, the Respondent fraudulently hacked the legitimate email chain and sent a message from the email address "[...]"@admmn.com", falsely requesting that the outstanding balance of USD 147,575.17 not be paid to Complainant's actual account as planned.

The email was signed using the real name of a Complainant's employee, who had previously been involved in the legitimate correspondence.

The Respondent replicated the full email signature, including Complainant's logo and link to the official website, and maintained all recipients from the Spanish business partner in the communication thread. However, every legitimate Complainant's email address was replaced with a visually similar address ending in "[...]"@admmn.com" rather than "[...]"@adm.com", thus enabling the impersonation to remain undetected.

Notably, this fraudulent intervention occurred at the final stage of the transaction, precisely when the legitimate Complainant's employee had communicated that the Complainant was awaiting the remaining balance. The evidence demonstrates a deliberate and sophisticated attempt by the Respondent to intercept and divert corporate funds by misrepresenting itself as the Complainant.

The Complainant has a documented history of similar fraudulent schemes involving domain names such as <admpart.com>, <admproject.online>, <admfr.com>, <adm-us.store>, and others, all of which were found to be registered and used in bad faith in previous WIPO UDRP decisions.

## **5. Parties' Contentions**

### **A. Complainant**

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

First, the Complainant argues that the disputed domain name is confusingly similar to its well-known ADM trademark.

The disputed domain name entirely incorporates the ADM mark as its leading element, with only the addition of the letters "mn", which are either visually similar to a repetition of "M" or could be perceived as a reference to the U.S. state of Minnesota, where the Complainant operates. This modification does not avoid a finding of confusing similarity under the Policy.

Second, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name.

The Respondent is not affiliated with the Complainant, has not been authorized to use the ADM mark in any way, and is not commonly known by the name "admmn".

Furthermore, the disputed domain name does not resolve to an active website, and there is no indication of any bona fide offering of goods or services.

Instead, the Complainant provides evidence that the disputed domain name was used to create a minimum of six fraudulent email accounts impersonating ADM employees and was used in a phishing scheme to divert a payment of over USD 147,000 from a legitimate ADM business partner. Such conduct negates any claim of good faith or legitimate interest.

Third, the Complainant argues that the disputed domain name was registered and used in bad faith. The Respondent inserted itself into a legitimate and ongoing business transaction between the Complainant and a Spanish company and impersonated a Complainant's employee by using an email address associated with the disputed domain name. The fraudulent email included the real name, signature block, and branding of ADM, and attempted to divert pending funds by instructing the recipient to redirect the payment to a new account. The Complainant submits that this behavior is a clear attempt to capitalize on the goodwill associated with the ADM brand and falls squarely within paragraph 4(b)(iv) of the Policy.

### **B. Respondent**

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

## **6. Discussion and Findings**

The Complainant is required to establish the requirements specified under paragraph 4(a) of the Policy: (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in respect of which the Complainant has rights; (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name; and (iii) that the disputed domain name has been registered and is being used in bad faith.

### **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 demonstrated rights in the ADM trademark through multiple trademark registrations. These registrations predate the Respondent's registration of the disputed domain name and are sufficient to establish standing under the Policy.

The disputed domain name incorporates the ADM mark in its entirety, followed by the additional letters "mn". Panels have consistently found that the addition of non-distinctive elements — such as geographic abbreviations or random letters — does not prevent a finding of confusing similarity where the complainant's mark remains clearly recognizable. ([WIPO Overview 3.0](#), section 1.8).

Here, the ADM mark is instantly identifiable within the disputed domain name. The inclusion of "mn" may be interpreted either as a repetition of the letter "M" or as an abbreviation for the state of Minnesota, where the Complainant operates. Neither interpretation diminishes the dominant presence of the ADM mark.

Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's registered trademark. The first element of the Policy is satisfied.

## **B. Rights or Legitimate Interests**

Under the Policy, paragraph 4(c), a respondent may demonstrate rights or legitimate interests in a domain name through, for example, evidence of use in connection with a bona fide offering of goods or services, or by being commonly known by the domain name. However, the burden shifts to the Respondent once a Complainant makes a prima facie case that no such rights exist. ([WIPO Overview 3.0](#), section 2.1).

The Complainant has made a prima facie showing that the Respondent is not affiliated with the Complainant, has never been authorized to use its marks, and is not commonly known by the name "admmn".

Furthermore, there is no evidence of any legitimate business conducted via the disputed domain name, which does not resolve to a functioning website.

On the contrary, the record shows that the disputed domain name was used to create at least six fraudulent email addresses impersonating the Complainant's employees.

The Respondent inserted itself into an active commercial negotiation between the Complainant and a third-party business partner and attempted to misdirect payment of USD 147,575.17 by impersonating a real Complainant's employee and altering the domain name in the email address (from [...]@adm.com to [...]@admmn.com) while preserving the original communication thread.

Panels have consistently held that such use involving impersonation, phishing, and fraudulent financial diversion can never confer rights or legitimate interests on a respondent. ([WIPO Overview 3.0](#), section 2.13.1).

The Panel therefore concludes that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The second element of the Policy is satisfied.

## **C. Registered and Used in Bad Faith**

To satisfy the third element under the Policy, the Complainant must demonstrate that the disputed domain name was both registered and is being used in bad faith (Policy, paragraph 4(a)(iii)).

The evidence clearly establishes that the Respondent was aware of the Complainant and its rights in the ADM mark at the time of registration.

The disputed domain name is a deceptive variation of the Complainant's primary domain <adm.com> and was used to impersonate specific Complainant's employees in an ongoing business negotiation including the use of their real names, titles, signatures, and branding.

The fraudulent email was sent at the final stage of the transaction and instructed the transfer of a significant amount to a different bank account, falsely claiming that the Complainant's actual account had been closed. This conduct constitutes a deliberate and sophisticated act of fraud and identity theft. Panels have repeatedly found that such conduct meets the standard for bad faith under paragraph 4(b)(iv) of the Policy. Even though the disputed domain name does not resolve to a website, its use in a targeted email-based phishing scheme qualifies as "use" under the Policy. ([WIPO Overview 3.0](#), section 3.4).

Given the Complainant's global reputation, the timing of fraudulent activity, the use of deceptive email addresses, and the attempt to misappropriate substantial funds, the Panel finds that the disputed domain name was registered and is being used in bad faith.

The third element of the Policy is therefore satisfied.

## 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 <admmn.com> be transferred to the Complainant.

*/Erica Aoki/*

**Erica Aoki**

Sole Panelist

Date: July 29, 2025