

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Archer Daniels
Case No. D2025-2594

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 Archer Daniels, United States.

2. The Domain Name and Registrar

The disputed domain name <admnutrien.com> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 2, 2025. On July 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 4, 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 (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 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 on July 7, 2025.

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 July 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 4, 2025.

The Center appointed Clark W. Lackert as the sole panelist in this matter on August 7, 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

Archer-Daniels-Midland Company is widely known by its initials as ADM. Founded in 1902, the corporation now serves 200 countries, owns more than 800 facilities worldwide, employs over 38,000 people, and has become one of the world's premier agribusinesses. In 2023, worldwide net sales at ADM were USD 93 billion. Due to its promotion and continued global use of its name and brands, ADM has built up international goodwill and reliability in its brand among its consumers, wherein the ADM trademark is now well-known. See, e.g., *Archer-Daniels-Midland Company v. Warren Flaherty, Allwood Design and Manufacture Ltd / Identity Protect Limited*, WIPO Case No. [D2015-0539](#) (panel determined that the Complainant had demonstrated that it has trademark rights in the ADM trademark and that its trademark is well known).

Although the Complainant was originally a food and ingredients company, its business areas also now include printing and publishing; financial and business management services; fuel production, including bioethanol and biodiesel; logistics services (agricultural storage and transportation services); and research and development services.

The Complainant has registered several trademarks for ADM, (the "ADM Mark") in many jurisdictions, including in the United States, China, India, European Union, and more, including:

Jurisdiction	Registration Number	Registration Date
United States	1386430	March 18, 1986
United States	2766613	September 23, 2003
India	2223756	October 21, 2011
Brazil	6431569	August 10, 1976
European Union	3151586	April 30, 2007

The Complainant maintains its global presence online, via its various websites such as, its main website under the domain name, <adm.com>, or its platform for its agricultural business partners under the domain name <admadvantage.com>.

The disputed domain name was registered on June 10, 2025. The disputed domain name resolves to a Registrar parking page. In addition, according to the evidence in the Complaint, the email address associated with the disputed domain name "[...]"@admnutrien.com" has also been used by the Respondent as part of a fraudulent scheme, impersonating/passing off as a fictitious sales representative of the Complainant, and targeting third-party suppliers to request bulk shipments of refined sugar by creating a fraudulent purchase contract and fraudulent invoices for the purchase of goods using the Complainant's name, ADM Mark and logo.

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.

Given the fame of the ADM Mark and the Complainant's extensive online presence, the disputed domain name is confusingly similar to the ADM Mark. As previously held, "the prominent presence of a recognizable trademark in a domain name is probably sufficient to amount to confusing similarity with the trademark, irrespective of any dilution with other words or letters." See *Osram Sylvania, Inc. v. Jason Blevins*, WIPO Case No. [D2009-0233](#).

The disputed domain name entirely incorporates the ADM Mark, with the "ADM" portion being the most prominent and recognizable portion of the domain name. The addition of the term "nutrien" in the disputed domain name does nothing to distinguish the domain name from the ADM Mark and was likely intentionally included to be deceptively similar to the Complainant's registered domain name <adm.com> in order appear as an official Complainant domain name. Furthermore, the inclusion of "nutrien" actually increases the confusing similarity. ADM is a producer and manufacturer of human and animal nutrition goods, and has a legitimate animal nutrition business division, ADM Animal Nutrition, Inc, with an associated legitimate website found at the domain name <admanimalnutrition.com>.

Upon information and belief, shortly following the registration of disputed domain name, the Respondent, via the fraudulent email address "[...]@admnutrien.com", targeted an individual in a company in Bangladesh. In an email the individual requested invoices for bulk shipments of refined sugar. The Respondent replied to the request, and included three invoices and a purchase contract, which used the company name "Archer-Daniels-Midland", the ADM Mark and logo, and the address of the Complainant's North American headquarters. The email was signed by a fraudulent ADM sales representative under a fictitious name, and included the Complainant's name, the actual address for the ADM North American headquarters, and links to the Complainant's legitimate websites "www.adm.com" and "www.admadvantage.com" in the email signature, in order to appear as a legitimate communication from the Complainant.

It is clear from the above that the Respondent's use of the ADM Mark within the disputed domain name was for the purpose of causing confusion in bad faith and engaging in illegitimate activity. In fact, the Respondent's use of ADM within its fraudulent email addresses clearly achieved the goal of appearing to be confusingly similar to the ADM Mark, as evidenced by the fact that the Respondent was able to get a legitimate business to consider a large purchase. Any individual who encounters correspondence from the emails associated with the disputed domain name will be reasonably misled into believing that the communications are coming from, or are somehow affiliated with, the Complainant. See *Archer- Daniels-Midland Company v. adm corps*, WIPO Case No. [D2024-4398](#) (finding the addition of an "s" and "corp" to <adms-corp.com> did not prevent the finding of confusing similarity); *Archer- Daniels-Midland Company v. Bora Kira, Anderson Doug Mercury Co*, WIPO Case No. D2023- 3888 (finding the addition of "my" along with the term "co" to <myadmco.com> did not prevent the finding of confusing similarity); *Archer-Daniels-Midland Company v. Abbvie Inc.*, WIPO Case No. [D2024-0737](#) (finding inclusion of "-project" in <adm-project.com> not sufficient to prevent a finding of confusing similarity); *Archer-Daniels-Midland Company v. Lori Comb*, WIPO Case No. [D2023-2206](#) (finding the inclusion of "fr" in the <admfr.com> increased the confusing similarity between the domain name and Complainant's ADM mark because it is commonly used to refer to France); *Archer-Daniels-Midland Company v. Mo Ban Lin Shi, Cheng Du Xi Wei Shu Ma Ke Ji You Xian Gong Si / Huang Xin*, WIPO Case No. [D2016-2068](#) (finding inclusion of "forex" in <admforex.com> increased the confusing similarity between the domain name and Complainant's ADM mark because it referred to the foreign exchange market and the Complainant specializes in forex trading); *Archer- Daniels-Midland Company v. Jim Zhu*, WIPO Case No. [D2013-0258](#) (finding <admapgroup.com> confusingly

similar to ADM because it consisted of the ADM trademark and the addition of “ap group” did nothing to prevent confusing similarity).

B. Respondent

The Respondent is in default and 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 “nutrien”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the ADM 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.

Previous panels have held that the use of a disputed domain name for illegitimate activity, here, claimed phishing and impersonation/passing off, and engaging in fraudulent business transactions as 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 mark, in addition to using the disputed domain name for phishing and impersonation/passing off of Complainant in fraudulent business transactions.

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 illegitimate activity, here claimed phishing and impersonation/passing off of the Respondent as the Complainant and engaging in fraudulent business transactions as the Complainant by using the disputed domain name, constitute bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <admnutrien.com> be transferred to the Complainant.

/Clark W. Lackert/

Clark W. Lackert

Sole Panelist

Date: August 14, 2025