

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Jim Stacks, Ledel
Case No. D2025-2716

1. The Parties

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

The Respondent is Jim Stacks, Ledel, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <admm.xyz> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 9, 2025. On July 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 10, 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 July 11, 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 July 11, 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 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 4, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 5, 2025.

The Center appointed Frank Schoneveld as the sole panelist in this matter on August 11, 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 corporation was founded in the United States of America ("USA") in 1902, and now serves 200 countries, owns more than 800 facilities worldwide, employs over 38,000 people, and is a large agribusinesses with worldwide net sales in 2023 of USD93 billion. While 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 Complaint is based on the Complainant's numerous trademark registrations for its ADM trademark (the "ADM trademark"). The Complainant owns numerous trademark registrations for the ADM trademark in the USA for a wide range of goods and services, and in over 30 other jurisdictions, including:

Jurisdiction	Registration Number	Date of Registration
USA	1386430	March 18, 1986
European Union	913194	February 15, 2001
South Africa	9815472	August 31, 1998

The Complaint includes a list of the Complainant's ADM trademark registrations in several jurisdictions around the world.

The Complainant is the registrant of numerous domain names operated by the Complainant that include the ADM trademark including <adm.com> registered by the Complainant in (according to <WhoIs.com>) October 12, 1994.

The disputed domain name was registered on June 9, 2025, over 39 years after first registration of the ADM trademark in the USA.

The disputed domain name has no website to which it reverts and is not being used.

5. Parties' Contentions

The Complainant asserts that the Respondent is using the disputed domain name for fraudulent activities, using the real name of an employee of the Complainant and fake email address to hack a legitimate communication between the Complainant and a business partner and attempted to redirect payment of a large invoice. The Complainant contends that the Respondent registered the disputed domain name and subsequently created at least one email address associated with the disputed domain name to falsely pose as a legitimate employee of the Complainant. The Complainant submitted copies of correspondence between June 13, 2025, and June 17, 2025, between the Complainant and a business partner who is a distributor of commercial shipping products. The correspondence regarded a wire transfer of funds from the Complainant to the business partner.

The Complainant alleges that on June 17, 2025, the Respondent fraudulently hacked this legitimate correspondence and sent an email from a fraudulent email address of an employee of the Complainant, claiming the funds had been returned to the Complainant's bank account due to an invalid account number and requested the business partner to fill out a form with updated banking information. The Complainant contends that the name used in the fraudulent correspondent is relevant, as this is the same name of the

legitimate employee of the Complainant who, prior to the hacking, was handling the correspondence with the business partner. The Complaint contends that the Respondent also kept all of the original contacts on the chain of correspondence that involved the Complainant's business partner. The Complainant alleges that the Respondent was clearly phishing for the banking information of the Complainant's business partner, an ADM partner trusted by the Complainant.

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,

- (a) because of the fame of the ADM trademark and the Complainant's extensive online presence, and the use of "adm" in the fraudulently registered domain, the disputed domain name is confusingly similar to the ADM trademark;
- (b) the Respondent has not been commonly known by the disputed domain name, and this is evident by the fact that it was registered on June 9, 2025, and is not currently in use, alleging that any legitimate rights or interests in the domain name are negated by the Respondent's use of the disputed domain name to create at least one fraudulent email address and hack a legitimate business correspondence between the Complainant and a business partner, for the purposes of deceiving the business partner;
- (c) the Respondent is not making a legitimate, non-commercial or fair use of the disputed domain name without intent for commercial gain, and instead the Respondent is using the disputed domain name to deceive third-party businesses and to tarnish the ADM trademark. Further, the Complainant contends that the disputed domain name website has remained inactive, thus, the Respondent does not use nor has made preparations to use the domain name with a bona fide offering of goods or services;
- (d) the Respondent is using the ADM trademarks, name, and global online presence in bad faith via the disputed domain name and associated e-mail address to impersonate an employee of the Complainant for fraudulent purposes, and is using the ADM trademark and name within the disputed domain name in an attempt to mislead a third-party into believing they are continuing in legitimate correspondence with the Complainant with the aim to intentionally trade on the goodwill of the Complainant's fame, trademarks, reputation, and online presence through the disputed domain name, and submitting in addition that this is in violation of Complainant's prior rights and international civil and criminal laws.

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 (i.e., the ADM trademark) for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the ADM trademark 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.

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 illegitimate activity, here, the claimed hacking of email correspondence and impersonation of an employee of the Complainant in such correspondence, 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.

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 unauthorized account hacking and impersonation of an employee of the Complainant to hack legitimate business correspondence between the Complainant and a trusted business partner, for the purposes of deceiving the business partner into disclosing bank information with the aim of defrauding the Complainant and/or its business partner, constitutes 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 <admm.xyz> be transferred to the Complainant

/Frank Schoneveld/

Frank Schoneveld

Sole Panelist

Date: August 25, 2025