

## **ADMINISTRATIVE PANEL DECISION**

Archer-Daniels-Midland Company v. Theresa W Chavez, Theresa Chavez, Theresa f Chavez, Theresa Chavez, and Theresa g Chavez, Theresa Chavez  
Case No. D2025-3008

### **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 Respondents are Theresa W Chavez, Theresa Chavez, United States; Theresa f Chavez, Theresa Chavez, United States; Theresa g Chavez, Theresa Chavez, United States.

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

The disputed domain names <www-adm.art>, <www-adm.bond>, <www-adm.cfd>, <www-adm.cyou>, <www-adm.shop>, <www-adm.store>, <www-adm.top>, and <www-adm.xyz> are registered with Gname.com Pte. Ltd. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 28, 2025. On July 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 30, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 8, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all disputed domain names are under common control. The Complainant filed an amended Complaint on August 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 Respondents of the Complaint, and the proceedings commenced on August 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on September 2, 2025.

The Center appointed William F. Hamilton as the sole panelist in this matter on September 16, 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**

Founded in 1902, the Complainant provides services in 200 countries, owns over 800 facilities worldwide, employs more than 38,000 people, and is one of the world's leading agribusinesses. In 2023, the Complainant's global net sales reached USD 93 billion. Although the Complainant was originally a food and ingredients company, its business areas now include printing and publishing; financial and business management services; fuel production, including bioethanol and biodiesel; logistics services (such as agricultural storage and transportation); and research and development services.

The Complainant provides financial services through ADM Investor Services, Inc. ("ADMIS") and its numerous branches worldwide. ADMIS has been a leader in the futures brokerage industry for over 40 years. Consumers can access ADMIS's services online to place bids on commodities, such as grains, and to learn more about the futures brokerage industry.

The Complainant maintains its global online presence through various websites, including its principal website at "www.adm.com".

The Complainant owns United States Patent and Trademark Office ("USPTO") Registration No. 1,386,430 for the mark ADM (the "Mark"), which was registered on March 18, 1986. The Complainant also owns multiple additional USPTO registrations for the Mark, including Registration No. 2,766,613, registered on September 23, 2003, and Registration No. 2,301,968, registered on December 21, 1999 (Annex 10 to the Complaint). The Complainant holds numerous other registrations worldwide that cover a broad range of goods and services (Annex 11 to the Complaint).

The disputed domain names were registered as follows:

- <www-adm.shop>, registered on July 22, 2025
- <www-adm.cfd>, registered on July 22, 2025
- <www-adm.bond>, registered on July 21, 2025
- <www-adm.store>, registered on July 21, 2025
- <www-adm.top>, registered July 21, 2025
- <www-adm.xyz>, registered on June 11, 2025
- <www-adm.art>, registered on June 11, 2025
- <www-adm.cyou>, registered on June 3, 2025

The disputed domain names currently do not resolve to active websites. However, when the Complaint was filed, they directed visitors to sites displaying the signature leaf of the Complainant's registered trademark logo and a copyright notice at the bottom stating "ADM © 2025." These websites ask visitors to enter their mobile number, login password, and "Graphic verification code." They include links for "Sign in", "Register Now" and "Forget (sic) Password." The disputed domain names <www-adm.xyz> and <www-adm.cyou> have been promoted on Facebook. One post linked to the disputed domain name <www-adm.xyz> features the Mark and a photo of six people standing in front of a wall with the Mark also on it (Annex 4 to the Complaint). Another linked to the disputed domain name <www-adm.xyz> shows two images- one of a sign with the Complainant's logo and what appears to be a list of products - and states, "First thing every day:

open the ADM platform and collect the profits of your launched projects.” (Annex 5 to the Complaint). A third post linked to the disputed domain name <www-adm.xyz> says, “Do you want income even if you’re just at home..try to open this link guys for more info pm is they,” accompanied by two images of “withdrawal records.” (Annex 6 to the Complaint). A Facebook post from July 22, 2025, linked to the disputed domain name <www-adm.cyou>, states, “Join ADM and make money together!” (Annex 7 to the Complaint).

## **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 names.

Notably, the Complainant argues that the disputed domain names are confusingly similar to the Mark because each prominently incorporates the Mark. The Complainant also claims that the Respondents have no rights or legitimate interests in the Mark. The Complainant contends that the Complainant has never authorized the Respondents to use the disputed domain names, that the Respondents are not generally known by the disputed domain names, have never operated a business under the disputed domain names, have not advertised the disputed domain names, and have never engaged in any bona fide commercial activity in connection with the disputed domain names. The Complainant contends that the Respondents registered and used the disputed domain names in bad faith to implement a fraudulent scheme to solicit personal information from unsuspecting Internet users through websites featuring the signature leaf portion of the Complainant’s registered trademark logo and the Mark. The Complainant asserts that the Respondents are the same entity or mere alter egos of each other, or are under common control, and that the claims against the Respondents should be consolidated.

### **B. Respondents**

The Respondents did not reply to the Complainant’s contentions.

## **6. Discussion and Findings**

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

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondents have no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names were registered and are being used in bad faith.

### **Consolidation: Multiple Respondents**

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant’s request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.11.2.

Regarding common control, the Panel observes that the disputed domain names were registered within two months with the same Registrar by individuals using the same registrant name (although with three different middle initials) and the same "company" name, i.e., "Theresa Chavez". Each disputed domain name follows the same format, specifically "www-adm" followed by a different Top-Level Domain. Further, the disputed domain names resolve to virtually identical websites.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent") in a single proceeding.

### **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 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 Mark is recognizable within the disputed domain names. Each of the disputed domain names prominently incorporates the Mark after beginning each disputed domain name with the term "www-". Accordingly, the disputed domain names are 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 "www-" may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain names and the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The generic Top-Level Domains ("gTLD") of the disputed domain names, in this case "shop," "cfd," "bond," "store," "xyz," "art," "cyou," and "top" may be disregarded for the purposes of assessment under the first element, as they are viewed as a standard registration requirement. [WIPO Overview 3.0](#), section 1.11.1.

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 names. 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 names such as those enumerated in the Policy or otherwise.

Additionally, the Panel notes that the use of the disputed domain names to facilitate and promote the fraudulent collection of personally identifying information, as is the case here, cannot establish rights or legitimate interests in the disputed domain names.

The Panel finds the second element of the Policy has been established.

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

Under paragraph 4(b) of the Policy, bad faith may be established by any one of the following non-exhaustive scenarios:

- (i) circumstances indicating that the respondent has registered or acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

In the present case, the Panel notes that the Respondent has utilized the disputed domain names to resolve to websites soliciting personal information from unsuspecting Internet visitors in the mistaken belief that the websites are sponsored by or affiliated with the Complainant. The disputed domain names resolve to websites featuring the Complainant's logo and the Mark. Panels have held that the use of a domain name to fraudulently phish personal information from a complainant's customers and other Internet users constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Additionally, the registration and use of the disputed domain names appear to be part of a larger plan and scheme of targeting the Mark for possible fraudulent use given the registrations of the domain names <www-adm.vip> and <www-adm.me> that were registered by a "theresa g Chavez, Theresa Chavez" on the same day that the disputed domain name <www-adm.cyou> was registered also by a "theresa g Chavez, Theresa Chavez" (see *Archer-Daniels-Midland Company v. Theresa g Chavez, Theresa Chavez*, WIPO Case No. [D2025-2717](#) and *Archer-Daniels-Midland Company v. Theresa g Chavez, Theresa Chavez*, WIPO Case No. [DME2025-0019](#), in both cases, the same panel found that the respondent had registered and used the domain name incorporating the Mark in bad faith).

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names 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 names <www-adm.art>, <www-adm.bond>, <www-adm.cfd>, <www-adm.cyou>, <www-adm.shop>, <www-adm.store>, <www-adm.top>, and <www-adm.xyz> be transferred to the Complainant.

*/William F. Hamilton/*

**William F. Hamilton**

Sole Panelist

Date: September 30, 2025