

## **ADMINISTRATIVE PANEL DECISION**

Archer-Daniels-Midland Company v. Victor Adebowale  
Case No. D2025-3165

### **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 Victor Adebowale, Nigeria.

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

The disputed domain name <adm-worldwide.com> is registered with Web4Africa Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 7, 2025. On August 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 11, 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 (Domain Admin) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 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 amendments to the Complaint on August 11, 2025.

The Center verified that the Complaint together with the amendments 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 August 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2025. The Respondent sent an email communication to the Center on August 22, 2025. The Center sent a possible settlement email to the Parties on August 25, 2025. On August 26, 2025, the Complainant notified the Center that they will not be requesting a suspension of proceeding. The Center notified the Parties of the Commencement of Panel Appointment Process on September 6, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on September 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 was founded in 1902, and presently serves 200 countries in connection with food and ingredients, as well as investment services (notably futures brokerage), owning more than 800 facilities worldwide and employing over 38,000 people.

The Complainant has adopted the ADM trademark in the United States in 1923. Past UDRP panels have found the Complainant's ADM trademark well-known and "internationally famous" (*Archer-Daniels-Midland Company v. Shimin Li, Softvip*, WIPO Case No. [D2023-0034](#); *Archer-Daniels-Midland Company v. Zheng Zi Qiang*, WIPO Case No. [D2022-4929](#)).

The Complainant is the owner of the following, amongst other dozens of other trademark registrations (Annexes 7 and 8 to the Complaint):

- United States trademark registration No. 1,386,430 for the word mark ADM, registered on March 18, 1986, successively renewed, in classes 1, 4, 12, 16, 29, 30, 31, 33 and 39;
- United States trademark registration No. 2,766,613 for the word mark ADM, registered on September 23, 2003, successively renewed, in classes 16, 35, 36 and 42;
- United States trademark registration No. 2,301,968 for the word mark ADM, registered on December 21, 1999, successively renewed, in class 5; and
- United States trademark registration No. 1,386,430 for the word and device mark ADM, registered on March 18, 1986, successively renewed, in classes 1, 4, 5, 12, 16, 29, 30, 31, 39 and 42.

The disputed domain name was registered on July 5, 2025, and presently does not resolve to an active webpage. In the past, the disputed domain name has been used in connection with a webpage that impersonated the Complainant, encouraging unsuspecting victims to give personal information as part of what appears to be a fraudulent investment scheme.

#### **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.

Notably, the Complainant asserts that the disputed domain name bears clear visual, phonetic, and conceptual similarities to the Complainant's ADM trademark, and is therefore confusingly similar to it.

The Complainant further states that the Respondent has no rights or legitimate interests in respect to the disputed domain name, nor is it making any legitimate, non-commercial or fair use of the disputed domain name without intent for commercial gain, given that the disputed domain name has been used to deceive individuals and to tarnish the Complainant's ADM trademark.

The Complainant further asserts that the Respondent has used the Complainant's ADM trademark, name, and robust global online presence in bad faith through the use of the disputed domain name, in an attempt to deceive individuals by means of a fraudulent webpage which appears to have been created for the sole purpose of collecting personal data by encouraging individuals to register and invest (Annex 3 to the Complaint), unduly displaying the Complainant's worldwide registered trademark to create a false impression of legitimacy.

## **B. Respondent**

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

The Respondent sent an email communication to the Center on August 22, 2025, stating, in summary, that he is a developer that only bought the disputed domain name "for a client using my email and accounts, so what do I have to do to resolve the complaint".

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy sets forth three requirements, which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

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

The Complainant must prove in this administrative proceeding that each of the aforesaid three elements is present in order to obtain the transfer of the disputed domain name.

### **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, a hyphen and "worldwide") 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 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.

In that sense, and according to the evidence submitted, the Complainant has made a prima facie case against the Respondent who has not been commonly known by the disputed domain name and is neither authorized, licensed, or been allowed to use the Complainant’s trademark, whether in the disputed domain name, or in any other way.

Also, the lack of evidence as to any trademarks registered by the Respondent corresponding to the disputed domain name, corroborates the indication of an absence of rights or legitimate interests in the disputed domain name.

Furthermore, according to the evidence submitted by the Complainant, the past use of the disputed domain name in connection with a webpage impersonating the Complainant does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the disputed domain name in these circumstances.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation and fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain name.

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.

This case presents the following circumstances which indicate under the balance of probabilities bad faith registration and use of the disputed domain name:

- a) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the disputed domain name;
- b) the Respondent has used the disputed domain name to impersonate the Complainant; and
- c) the present passive holding of the disputed domain name. [WIPO Overview 3.0](#), section 3.3.

Panels have held that the use of a domain name for illegal activity here, claimed impersonation/passing off, or other types of fraud 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 <adm-worldwide.com> be transferred to the Complainant.

*/Wilson Pinheiro Jabur/*

**Wilson Pinheiro Jabur**

Sole Panelist

Date: September 25, 2025