

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Theresa g Chavez, Terry A Dunlap
Case No. D2025-3304

1. The Parties

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

The Respondents are Theresa g Chavez, U. S and Terry A Dunlap, U. S.

2. The Domain Names and Registrar

The disputed domain names <adm.baby>, <adml.me>, <adml.shop> and <adm1.club> 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 August 19, 2025. On August 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 20, 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 August 21, 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 domain names are under common control. The Complainant filed an amended Complaint on August 21, 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 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 14, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on September 16, 2025.

The Center appointed Dennis A. Foster as the sole panelist in this matter on September 18, 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

A U.S. company founded in 1902, the Complainant operates within the agribusiness industry on a worldwide basis, employing more than 38,000 people. Having built considerable international goodwill, the Complainant's sales amounted to USD 93,000,000,000 in 2023.

In conducting its business, the Complainant has used its ADM trademark since at least 1923, and registered that mark throughout the world, including with the United States Patent and Trademark Office ("USPTO"): e.g., registration no. 2,301,968; registered on December 21, 1999, international class 05 for vitamins and dietary supplements for human consumption; and animal feed additive for use as nutritional supplement. USPTO registration no. 1,386,430, registration date March 18, 1986, international classes 01 for industrial chemicals, 04 for industrial oils, and 029 for processed foods. And USPTO registration no. 2,766,613, registration date September 23, 2003, international classes 016 for printed materials, 035 for market research, and 036 for software for financial management.

The Complainant's main website is at the domain name <adm.com>.

The disputed domain names, <adm.baby>, <adml.me> and <adml.shop>, were registered on April 30, 2025, while the disputed domain name <adm1.club> was registered on August 5, 2025. All of the disputed domain names are connected to websites that contain the Complainant's logo and offer Internet users the option of entering personal information into login sites.

5. Parties' Contentions

A. Complainant

The disputed domain names are confusingly similar to the Complainant's ADM trademark, which was registered with the USPTO prior to the registration of those names. The Complainant's full mark is contained in each of the disputed domain names. The only distinctions between the disputed names and the mark are the additions of one letter or number and various Top-Level Domains ("TLDs"), all of which amounts to no relevant differences between the mark and the disputed domain names.

The Respondents have no rights or legitimate interests in the disputed domain names. The Complainant has not authorized or licensed the Respondents to use the Complainant's trademark. Moreover, the Respondents have failed to make a bona fide offering of goods or services in connection with the disputed domain names. Instead, the disputed domain names are connected to websites that prompt unsuspecting Internet users to enter personal information. Also, the Respondents are not commonly known as any of the disputed domain names. Furthermore, the Respondents' use of the disputed domain names for suspicious data collection is not consistent with a legitimate noncommercial or fair use of those names.

- The Respondents have registered and are using the disputed domain names in bad faith. The Respondents are using the disputed domain names to solicit personal information from individuals who will then become potentially vulnerable to the Respondents' likely fraudulent undertakings. The Respondents

are conducting this illegitimate activity with complete knowledge of the Complainant's rights in the ADM trademark.

B. Respondent

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

6. Discussion and Findings

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.

As regards common control, the Panel notes that, although all of the disputed domain names were not registered at the same time, they were all registered in a short time span. The disputed domain names also are all registered with the same registrar. Moreover, all of the disputed domain names are connected to websites that contain the Complainant's logo and offer Internet users the option of entering personal information into login sites.

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.

Pursuant to Policy paragraphs 4(a)(i) - (iii), the Panel may render a decision for the Complainant and grant a transfer of the disputed domain names, if the Complainant establishes that:

- The disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- The Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- The disputed domain names have been registered and are being used in bad faith.

A. Identical or Confusingly Similar

Given that the Complainant has produced appropriate evidence of registration for its ADM trademark with the USPTO, the Panel finds that the Complainant has the rights required in that mark to comply with Policy paragraph 4(a)(i). See [WIPO Overview 3.0](#) section 1.2.1; and *LO 337 IP Holding, LLC v. John Williams, J*

Entertainment ATL / John Williams, J, WIPO Case No. [D2019-2339](#) ("The Panel concludes that Complainant has rights in the mark WORLD STAR HIP HOP through registration with the USPTO.").

All of the disputed domain names contain the Complainant's ADM trademark. Three of the disputed domain names include minor additions of either the letter "l" or number "1", and all of the disputed domain names add various TLDs (i.e., ".baby", ".me", ".shop" or ".club"). The Panel finds that these deviations from the Complainant's trademark do not prevent a finding of confusing similarity between all of the disputed domain names and that mark, because the consensus of prior Policy decisions has found that the addition of other terms does not prevent a finding of confusing similarity between the domain name and the mark for the purposes of the Policy, and the applicable TLD in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. See *Compagnie Générale des Établissements Michelin v. linken matrin*, WIPO Case No. [D2025-0676](#) (...the gTLD, as a standard registration requirement, is generally disregarded under the first element test); and *Société Anonyme des Bains de Mer et du Cercle des Etrangers à Monaco v. Privacy Service Provided by Withheld for Privacy ehf / Anggriyani Anggriyani*, WIPO Case No. [D2022-1925](#) ("The addition of the term "18" after "Monaco", and the use of the TLDs ".bond", ".club", ".life", ".live", ".com", ".one", ".shop", and ".xyz" respectively, do not prevent a finding of confusing similarity between the disputed domain names and Complainant's MONACO Marks.").

Consequently, the Panel finds that the Complainant has established the first element of the Policy.

B. Rights or Legitimate Interests

Previous Policy panels have concluded that if a complainant establishes a prima facie case that a respondent has no rights or legitimate interests in a disputed domain name, the burden of production on this element then passes to that respondent to produce relevant evidence that it does possess appropriate rights or legitimate interests in the disputed domain name. See [WIPO Overview 3.0](#), section 2.1. The Panel concludes that the Complainant has presented such a prima facie case by proving that the disputed domain names are confusingly similar to the Complainant's trademark and by asserting that it has neither authorized nor licensed the Respondent to use that mark for any purpose. Thus, the Respondent is required to present appropriate evidence to rebut this prima facie case.

As no Response has been filed in this case, the Panel will accept as valid all of the reasonable claims found within the Complaint. See *The Vanguard Group, Inc. v. Lorna Kang*, WIPO Case No. [D2002-1064](#) ("...the Panel's decision is based upon the Complainant's assertions and evidence and inferences drawn from the Respondent's failure to reply.").

Paragraph 4(c) of the Policy provides a list of circumstances by which the Respondent may demonstrate rights or legitimate interests in the disputed domain names. With respect to Policy paragraph 4(c)(i), the Panel accepts the Complainant's evidence that the websites attached to each of the disputed domain names bear the Complainant's leaf logo and request that Internet users click onto the sites' registration spaces that require either a telephone number, login password or verification code. The Panel does not find that this solicitation format, which appears to delve into Internet users' personal information, equates to "a bona fide offering of goods or services" pursuant to Policy paragraph 4(c)(i). See *Archer-Daniels-Midland Company v. Truehost Cloud, Truehostcloud LTD*, WIPO Case No. [D2025-0997](#) ("...the disputed domain name was used to resolve to a webpage that displayed the almost exact match of the Complainant's figurative mark on the top of the page and required login credentials (a telephone number and a password) or registration. [...] the Respondent's use of the disputed domain name as mentioned above is neither a bona fide use nor a legitimate noncommercial or fair use.").

The Panel also finds no evidence that the Respondent, either as Theresa g Chavez or Terry A Dunlap, is commonly known as any of the disputed domain names, meaning that Policy paragraph 4(c)(ii) fails to apply to the Respondent's possession of the disputed domain names. Furthermore, the Respondent's use for all of the disputed domain names, i.e. the solicitation of personal information, does not in the Panel's view

comport with a “legitimate noncommercial or fair use” of the disputed domain names per Policy paragraph 4(c)(iii). See *Archer-Daniels-Midland Company v. Truehost Cloud, Truehostcloud LTD, supra*.

Therefore, the Panel finds that the Complainant has proved the second element of the Policy.

C. Registered and Used in Bad Faith

While paragraph 4(b) of the Policy establishes four distinct circumstances that may give rise to a finding that a disputed domain name was registered and is being used in bad faith, Policy panels are not limited to these circumstances in finding bad faith. See [WIPO Overview 3.0](#), section 3.2.1; and *Rolls-Royce PLC v. Ragnar Kallaste*, WIPO Case No. [D2014-2218](#) (“The examples of bad faith registration and use set forth in paragraph 4(b) of the Policy are not meant to be exhaustive of all circumstances from which such bad faith may be found.”)

In assessing possible bad faith registration and use of the disputed domain names, the Panel notes that the Complainant’s ADM trademark is well known. See *Archer-Daniels-Midland Company v. Name Redacted*, WIPO Case No. [D2016-1618](#) (“The Panel finds that Complainant’s ADM trademark is well-known.”). Prior UDRP panels have found that the mere registration of a domain name that is identical or confusingly similar to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. See [WIPO Overview 3.0](#), section 3.1.4.

The Panel also notes that the websites attached to each of the disputed domain names bear the Complainant’s leaf logo and request that Internet users click onto the sites’ registration spaces that require either a telephone number, login password or verification code. Panels have found that the use of a domain name for impersonation/passing off or other types of fraud constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Thus, the Panel concludes that the Respondent registered and is using the disputed domain names in bad faith.

Accordingly, 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 <adm.baby>, <adml.me>, <adml.shop>, and <adm1.club> be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: October 2, 2025