

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Name Redacted
Case No. D2025-3507

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 Name Redacted.¹

2. The Domain Name and Registrar

The disputed domain name <admnutriens.com> (the “Disputed Domain Name”) is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 29, 2025. On August 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On August 29, 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, Privacy Protect, LLC (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 1, 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 September 2, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for

¹ The Respondent appears to have used the name of a third party when registering the Disputed Domain Name. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the Disputed Domain Name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in these proceedings and has indicated that Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

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 September 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 25, 2025. A third party sent an email communication to the Center on September 24, 2025, and submitted a response on September 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 26, 2025.

The Center appointed Lynda M. Braun as the sole panelist in this matter on October 1, 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 is a Delaware, United States corporation that serves 200 countries, owns more than 800 facilities, and employs over 38,000 individuals worldwide. 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. In 2023, the Complainant’s worldwide net sales were USD 93 billion. Due to its promotion and continued global use of its name and brands, the Complainant has built up international goodwill in its trademarks among its consumers.

The Complainant owns numerous registered trademarks in the United States through the United States Patent and Trademark Office (“USPTO”) for a wide range of goods and services. For example, the Complainant owns, among others, the following:

- ADM, United States Registration No. 1,386,430, registered on March 18, 1986, with a first use anywhere and first use in commerce date of 1923, in International Classes 1, 4, 12, 16, 29, 30, 31, 33, and 39;
- ADM, United States Registration No. 2,766,613, registered on September 23, 2003, in International Classes 16, 35, 36, and 42; and
- ADM, United States Registration No. 2,301,968, registered on December 21, 1999, in International Class 5.

The Complainant also owns hundreds of additional trademark registrations in numerous jurisdictions worldwide.

The aforementioned trademarks will hereinafter collectively be referred to as the “ADM Mark”.

The ADM Mark was adopted and has been continuously used since at least as early as 1923 in connection with numerous products and services. Today, the ADM Mark is largely recognizable due to the international nature of the Complainant’s business, as well as the online presence that the Complainant maintains.

The Complainant owns the domain name <adm.com>, which resolves to its official website at “www.adm.com”, which describes the history of the Complainant, its array of products and services, and provides to consumers the latest news about the Complainant. Moreover, the website allows the Complainant’s customers to conduct business with the Complainant from anywhere in the world. The

Complainant also provides a platform for its agricultural business partners on “www.admadvantage.com”. Screenshots of both websites are attached as Annexes to the Complaint.

The Disputed Domain Name was registered on July 7, 2025, over a century after the Complainant first began to use its ADM Mark in commerce and resolves to the Registrar landing page. According to the Complainant, the Respondent purportedly used the Disputed Domain Name to perpetuate a phishing scheme in which the Respondent configured the Disputed Domain Name for email functions and used the email address to impersonate the Complainant and send fraudulent emails purportedly from one of the Complainant’s employees to its unsuspecting customers. The purpose of the emails was to request payments from the Complainant’s customers and have the payments redirected to the Respondent, acting as the Complainant. Screenshots of the fraudulent emails are attached as an Annex to the Complaint.

On September 24, 2025, the Center received an email from a third party listed as the Respondent (from an email address different from that confirmed by the Registrar) who claimed not to have any connection to the Disputed Domain Name or these proceedings. The third party wrote to the Center because the registrant of the Disputed Domain Name apparently used that party’s name in the registration details for the Disputed Domain Name.

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 contends that:

- the Disputed Domain Name is confusingly similar to the Complainant’s ADM Mark;
- the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name;
- the Disputed Domain Name was registered and is being used in bad faith; and
- the Complainant seeks the transfer of the Disputed Domain Name from the Respondent to the Complainant in accordance with paragraph 4(i) of the Policy.

B. Respondent

The Respondent did not reply to the Complainant’s contentions. A third party listed as the Respondent in the registration details for the Disputed Domain Name contends that it never registered the Disputed Domain Name, is not an actual party to these proceedings, and that the true Disputed Domain Name registrant stole its identity and fraudulently registered the Disputed Domain Name using false contact information. The third party requests that its identity and contact information be redacted from the published decision in these proceedings.

6. Discussion and Findings

In order for the Complainant to prevail and have the Disputed Domain Name transferred to the Complainant, the Complainant must prove the following (Policy, paragraph 4(a)):

- (i) the Disputed Domain Name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the Disputed Domain Name; and

(iii) the Disputed Domain Name was registered and is being used in bad faith.

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires a two-fold inquiry: a threshold investigation into whether a complainant has rights in a trademark, followed by an assessment of whether the disputed domain name is identical or confusingly similar to that trademark. The Panel concludes that in the present case, the Disputed Domain Name is confusingly similar to the ADM Mark as explained below.

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. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

It is uncontroverted that the Complainant has established rights in the ADM Mark based on its over 100 years of use as well as its registered trademarks for the ADM Mark in the United States and other jurisdictions worldwide. The consensus view of panels is that "[w]here the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case". See [WIPO Overview 3.0](#), section 1.2.1. Therefore, the Panel finds that the Complainant has rights in the ADM Mark.

The Disputed Domain Name consists of the Complainant's registered ADM Mark in its entirety followed by the term "nutriens" (likely a misspelling of "nutrients") and then followed by the generic Top-Level Domain ("gTLD") ".com". The test for confusing similarity involves a side-by-side comparison of the domain name and the textual components of the relevant trademark to assess whether the mark is recognizable within the disputed domain name. Here, the ADM Mark is recognizable within the Disputed Domain Name. As stated in section 1.8 of [WIPO Overview 3.0](#), "where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element". Thus, the addition of the term "nutriens" to the Complainant's ADM Mark in the Disputed Domain Name does not prevent a finding of confusing similarity. See e.g., *Allianz Global Investors of America, L.P. and Pacific Investment Management Company (PIMCO) v. Bingo-Bongo*, WIPO Case No. [D2011-0795](#); and *Hoffmann-La Roche Inc. v. Wei-Chun Hsia*, WIPO Case No. [D2008-0923](#).

Finally, the addition of a gTLD such as ".com" in a domain name is a technical requirement. As such, it is well established that a gTLD may typically be disregarded when assessing whether a disputed domain name is identical or confusingly similar to a trademark. See *Proactiva Medio Ambiente, S.A. v. Proactiva*, WIPO Case No. [D2012-0182](#) and [WIPO Overview 3.0](#), section 1.11.1. Thus, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's ADM Mark.

Based on the available record, the Panel finds that 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 that 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.

In this case, given the facts as set out above, the Panel finds that the Complainant has made out a prima facie case. The Respondent has not submitted any arguments or evidence to rebut the Complainant's prima facie case. Furthermore, the Complainant has not authorized, licensed, or otherwise permitted the Respondent to use its ADM Mark. Nor does the Complainant have any type of business relationship with the Respondent. There is also no evidence that the Respondent is commonly known by the Disputed Domain Name or by any similar name, nor any evidence that the Respondent was using or making demonstrable preparations to use the Disputed Domain Name in connection with a bona fide offering of goods or services. See Policy, paragraph 4(c). Rather, the Respondent has only used email address associated with the Disputed Domain Name to send communications while impersonating an employee of the Complainant in order to engage in fraudulent transactions, demonstrating the Respondent's malicious intent to deceive and mislead the Complainant's customers receiving the emails.

As such, the Respondent was using the Disputed Domain Name solely for the purpose of perpetuating a fraudulent phishing scheme on unwitting customers of the Complainant by attempting to redirect funds meant for the Complainant to itself. "Panels have categorically held that the use of a domain name for illegal activity (e.g., phishing, impersonation/passing off, or other types of fraud) can never confer rights or legitimate interests on a respondent." [WIPO Overview 3.0](#), section 2.13.1. Given the phishing scheme the Respondent operated by configuring the Disputed Domain Name to send email communications impersonating the Complainant, the Respondent was not making a legitimate noncommercial or fair use of the Disputed Domain Name but rather was using the Disputed Domain Name for commercial gain with the intent to mislead by defrauding the Complainant's customers.

In sum, the Panel finds that the Complainant has established an un rebutted prima facie case that the Respondent lacks rights or legitimate interests in the Disputed Domain Name.

Based on the available record, the Panel finds that the second element of the Policy has been established.

C. Registration and use 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.

The Panel finds that based on the record, the Complainant has demonstrated the existence of the Respondent's bad faith registration and use of the Disputed Domain Name pursuant to paragraph 4(a)(iii) of the Policy. 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, phishing and passing off or impersonation, 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 due to the Respondent's impersonation as the Complainant's employee to send fraudulent emails to the Complainant's unwitting customers to request payment for goods or services to the benefit of the Respondent.

The Respondent's continuous fraudulent actions clearly demonstrate an explicit intent to not only deceive unsuspecting individuals, but to exploit and tarnish the established reputation and credibility of the Complainant's name, brand, and online presence in furtherance of illicit schemes. These actions were taken with the intent to deceive and unjustly enrich the Respondent at the expense of others. The facts of this case thus establish the Respondent's bad faith in registering and using the Disputed Domain Name to impersonate the Complainant in communications with third parties. Further, previous UDRP panels have found that identity theft and email-based phishing schemes that use a complainant's trademark in a disputed domain name are evidence of bad faith. See [WIPO Overview 3.0](#), section 3.4 ("Panels have held that the

use of a domain name for purposes other than to host a website may constitute bad faith. Such purposes include sending email, phishing, identity theft, or malware distribution. [...] Many such cases involve the respondent's use of the domain name to send deceptive emails, e.g., to obtain sensitive or confidential personal information from prospective job applicants, or to solicit payment of fraudulent invoices by the complainant's actual or prospective customers.”).

Based on the available record, the Panel finds that the third element of the Policy has been established.

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 <admnutriens.com> be transferred to the Complainant.

/Lynda M. Braun/

Lynda M. Braun

Sole Panelist

Date: October 15, 2025