

ADMINISTRATIVE PANEL DECISION

ArcelorMittal v. lee matt, RTD Group of Companies
Case No. D2025-3564

1. The Parties

The Complainant is ArcelorMittal, Luxembourg, represented by Nameshield, France.

The Respondent is lee matt, RTD Group of Companies, France.

2. The Domain Name and Registrar

The disputed domain name <arcelormittal-sa.pro> is registered with Devexpanse Ltd d/b/a Regery.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 3, 2025. On September 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 5, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which partially differed from the named Respondent (RTD GROUP OF COMPANIES) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 8, 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 amended Complaint on September 8, 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 September 12, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 2, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 3, 2025.

The Center appointed Martin Švorčík as the sole panelist in this matter on October 8, 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 is a Luxembourg-based, one of the world's largest multinational steel manufacturing corporations.

The Complainant is owner of numerous ARCELORMITTAL trademarks, such as:

- International registration no. 947686 ARCELORMITTAL, registered on August 3, 2007
- United States trademark registration no. 3643643 ARCELORMITTAL, registered on June 23, 2009

The Complainant operates its official website under the domain name <arcelormittal.com> registered on January 27, 2006.

The disputed domain name was registered on August 30, 2025. The disputed domain name is currently inactive.

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.

As for the argumentation itself, the Complainant states that:

- the disputed domain name is confusingly similar to the trademarks ARCELORMITTAL. The inclusion of the term "sa" does not alleviate confusion;
- the Respondent has no rights or legitimate interests in the disputed domain name, because the Respondent incorporates the Complainant's trademarks in the disputed domain name without any license or authorization from the Complainant. The Respondent is not commonly known by the disputed domain name. The Respondent is unable to demonstrate a right or legitimate interest in the disputed domain name, the disputed domain name resolves to a parking page.
- Complainant's trademark is widely known which was also confirmed by multiple UDRP cases therefore the Respondent registered and is using the disputed domain name in bad faith because of full knowledge Complainant's trademark. The Respondent has not demonstrated any activity in respect of the disputed domain name, and it is not possible to conceive of any plausible actual or contemplated active use of the domain name by the Respondent that would not be illegitimate, such as by being a passing off, an infringement of consumer protection legislation, or an infringement of the Complainant's rights under trademark law.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy directs that the Complainant must establish each of the following:

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

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 term "sa" 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 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.

From the evidence, it is also clear that the Respondent is not sponsored by or associated with the Complainant in any manner. Moreover, the Complainant has not granted the Respondent any permission, license, or authorization to use the Complainant's trademark in any capacity, including within domain names.

"In the absence of any license or permission from the Complainant to use its trademark, no actual or contemplated bona fide or legitimate use of the Disputed Domain Name could reasonably be claimed." See *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#).

Furthermore, the Respondent does not appear to be commonly known by the disputed domain name and there is no evidence that might support such finding. See *World Natural Bodybuilding Federation, Inc. v. Daniel Jones TheDotCafe*, WIPO Case No. [D2008-0642](#) "finding that a Respondent, or his/her organization or business, must have been commonly known by the at-issue domain at the time of registration in order to have a legitimate interest in the domain."

There is also no indication that the Respondent uses (or has made bona fide preparations to use) the disputed domain name in a business or otherwise. The disputed domain name based on its composition also carries a high risk of implied affiliation with the Complainant.

The Panel further states that the Complainant proved that the Respondent registered the disputed domain name on August 30, 2025, which is after the Complainant's registration of its ARCELORMITTAL trademarks and the Complainant's registration of the <arcelormittal.com> domain name on January 27, 2006.

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.

The Complainant has proved that it is well known by the ARCELORMITTAL trademark and designation.

The Panel notes that at the time of filing the Complaint the disputed domain name resolved to a Virtualmin domain default page with a login option (Annex 6 to the Complaint), and that currently the disputed domain name leads to an inactive website. There are already many UDRP panel decisions that reasoned that passive holding of a domain name also constitutes bad faith, especially when its good faith use is in no way plausible, considering the specificity of the circumstances (see section 3.3 of the [WIPO Overview 3.0](#)), namely:

- (i) the degree of distinctiveness or reputation of the complainant's mark,
- (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use.

As the trademarks of the Complainant are with no doubt well known trademarks and as the Respondent failed to submit a response, the Panel is persuaded about bad faith registration condition to be met.

It was also established in another UDRP decision that "Examples of what may be cumulative circumstances found to be indicative of bad faith include the Complainant having a well-known trademark, no response to the complaint having been filed, and the registrant's concealment of its identity. Panels may draw inferences about whether the domain name was used in bad faith given the circumstances surrounding registration, and vice versa." See *Missoni S.p.A. v. 米索尼股份有限公司 / Missoni Limited*, WIPO Case No. [D2015-0843](#).

The Panel is convinced that there cannot exist any plausible future active use of the disputed domain name that would not be illegitimate, considering the specificity of the Complainant's undertaking and the wording of the disputed domain name - see *Audi AG v. Hans Wolf*, WIPO Case No. [D2001-0148](#).

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 <arcelormittal-sa.pro> be transferred to the Complainant.

/Martin Švorčík/

Martin Švorčík

Sole Panelist

Date: October 13, 2025