

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. James Harrison
Case No. D2025-4270

1. The Parties

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

Respondent is James Harrison, U.S.

2. The Domain Name and Registrar

The disputed domain name <adm-exports.com> (the “Domain Name”) is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 17, 2025. On October 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On October 21, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 Respondent of the Complaint, and the proceedings commenced on October 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 13, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on November 14, 2025.

The Center appointed Harrie R. Samaras as the sole panelist in this matter on November 20, 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

Complainant, Archer-Daniels-Midland Company, is an international agribusiness that was founded in 1902. It now serves 200 countries, owns more than 800 facilities worldwide, and employs over 38,000 people. In 2023, Complainant's worldwide net sales were USD 93 billion.

Complainant adopted and has been using the ADM Mark in the U.S. since at least as early as 1923 in connection with numerous products and services. Since 1986, ADM (U.S. Registration No. 1,386,430) has been registered in the United States Trademark Office with a first use date at least as early as 1923 (the "ADM Mark" or the "Mark").

ADM maintains its global presence online through its <adm.com> website.

The Domain Name was registered on March 27, 2025. It currently resolves to a webpage indicating "This site can't be reached."

Complainant received reports that Respondent was engaged in fraudulent activities, including impersonating it by sending deceptive email communications to defraud a third-party business partner. Respondent registered the Domain Name and subsequently created at least one associated email address ([...])@adm-exports.com) that uses the ADM Mark and is similar to the Domain Name. Respondent used that email address to target a representative of an edible oil producer who is one of Complainant's business partners who procures some of its oils from ADM in the European Union. The email that Respondent sent to that business partner was from an alleged product manager of "ADM do Brasil Ltda". The email claims that ADM Brasil is under the parent company "ADM S.A." The email further provides a quotation for the sale of "refined soybean oil" with associated terms and conditions. Furthermore, the signature block of the email included links to legitimate ADM websites, appearing like a legitimate communication from Complainant. The third-party requested an office visit to discuss in detail the proposal allegedly from ADM Brasil, but that was denied on the basis of company policy. That policy stated in part: "All relevant information can be discussed by and phone calls to assist buyer to be acquainted with our interaction and operations Then buyers are advice [sic, advised] to proceed with the following : 1) Place your order 2) Pay your upfront payment for: product booking, container booking, loading, packaging, insurance and third party inspection etc."

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name. Notably, Complainant contends the following:

From the promotion and use of the Mark, Complainant has built up international goodwill in the Mark such that it is now well-known and famous. The Domain Name entirely incorporates the ADM Mark, and though it adds "exports", the Mark is easily recognizable in the Domain Name. That term was likely chosen to appear as if it could be Complainant-affiliated as it is an innocuous word that a business of Complainant's scale would reasonably use to conduct shipping-related business. Furthermore, targeted parties will see the Domain Name and immediately recognize the most prominent portion of it, "ADM", and simply assume the Domain Name is in some way associated with Complainant. Any individual who encounters correspondence from the email address associated with the Domain Name would be reasonably misled into believing that the communications are coming from, or are somehow affiliated with, Complainant.

Respondent has not been commonly known by the Domain Name. This is evident by the fact it was used to conduct fraudulent activity. Respondent's attempt to fraudulently impersonate one of Complainant's employees and deceive one of Complainant's business partners into purchasing a large quantity of goods demonstrates a clear lack of legitimate interests in respect to the Domain Name. Respondent is using the Domain Name to deceive third-party businesses and to tarnish the ADM Mark.

Given the worldwide fame of the ADM Mark and the company itself, and Respondent's conduct described above, Respondent was undoubtedly aware of Complainant and Complainant's rights in the ADM Mark before registering the Domain Name. Respondent used the ADM Mark and Domain Name to mislead at least one victim into believing they had received legitimate business communications from ADM. Respondent is aiming to intentionally trade on the goodwill of Complainant's fame, Mark, reputation, and online presence through the Domain Name. Respondent undoubtedly used the email address associated with <adm-exports.com> to create the belief that their communications came from ADM. Moreover, Respondent's registration of the Domain Name alone is sufficient for a finding of "bad faith" given that the ADM Mark is so well known internationally.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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.

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 ADM Mark is reproduced within the Domain Name. Accordingly, the 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 "-exports" 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the Domain Name. Respondent has not rebutted Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the Domain Name such as those enumerated in the Policy or otherwise.

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

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.

In the present case, the Panel notes that Respondent registered the Domain Name in bad faith because: (1) Respondent registered a confusingly similar domain name that includes a well-known mark that has been used for decades before the Domain Name was registered; (2) the Domain Name simply adds “-exports” to the well-known ADM Mark which is a descriptive term suggesting what an international company would do, – export – goods around the world; (3) the Domain Name differs from Complainant’s domain name <adm.com> solely by the added descriptive “-exports” term; and (4) Respondent used the Domain Name and a related email address to impersonate Complainant to one of its business partners. Thus, Respondent would have to have known of Complainant and its rights in the ADM Mark when registering the Domain Name.

As described above, Respondent has been using the ADM Mark, the Domain Name, and an email address similar to the Domain Name, to impersonate Complainant and commit fraud. By using the Domain Name in this manner, Respondent has intentionally attempted to gain commercially.

Panels have found that the non-use of a domain name (including a blank or “This site can’t be reached.” page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of Complainant’s Mark, the composition of the Domain Name, and Respondent’s fraudulent use of the Mark, and finds that in the circumstances of this case the passive holding of the Domain Name does not prevent a finding of bad faith under the Policy.

Panels have held that the use of a domain name for illegal activity, here, claimed as impersonation or passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent’s registration and use of the Domain Name constitutes bad faith under the Policy.

The Panel finds that 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 Domain Name <adm-exports.com> be transferred to Complainant.

/Harrie R. Samaras/

Harrie R. Samaras

Sole Panelist

Date: November 27, 2025