

## **ADMINISTRATIVE PANEL DECISION**

Archer-Daniels-Midland Company v. Tiffany f Freund, Tiffany Freund and  
Terry A Dunlap, Terry Dunlap  
Case No. D2025-4340

### **1. The Parties**

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

Respondents are Tiffany f Freund, Tiffany Freund and Terry A Dunlap, Terry Dunlap, USA.

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

The disputed domain names <adml.digital>, <adml.qpon>, <adml.store>, <www-adm1.cfd>, <www-adm1.click>, <www-adm1.cloud>, <www-adm1.help>, <www-adm1.mom>, <www-adm1.qpon>, and <www-adm1.xyz> (collectively referred to as the "Domain Name 1"), <adml.boats>, <adml.click>, and <adml.mom> (collectively referred to as the "Domain Name 2", the Domain Names 1 and 2 will collectively be referred hereafter as the "Domain Names") 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 October 23, 2025. On October 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On October 23, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent ("unknown") and contact information in the Complaint. The Center sent an email communication to Complainant on October 24, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting Complainant to either file a separate complaint for the 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. Complainant filed an amended Complaint on October 24, 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 November 13, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on December 4, 2025.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on January 9, 2026. 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, founded in 1902, now serves 200 countries in agribusinesses, owns more than 800 facilities worldwide, with over 38,000 employees. In 2023, worldwide net sales were USD 93 billion. Complainant maintains its global presence online via various websites, including its main website located at "www.adm.com".

Originally a food and ingredients company, Complainant's business areas now include printing and publishing; financial and business management services; fuel production, including bioethanol and biodiesel; logistics services; and research and development services.

Complainant owns numerous registered trademarks in jurisdictions worldwide, including:

- USA registered trademark number 1386430 for the ADM word mark, registered on March 18, 1986;
- USA registered trademark number 2301968 for the ADM word mark, registered on December 21, 1999;
- USA registered trademark number 2766613 for the ADM word mark, registered on September 23, 2003; and
- USA registered trademark number 2769690 for the ADM word and design mark ("leaf logo"), registered on September 30, 2003.

The Domain Names were registered on the corresponding dates of registration, by the respective Respondents, as follows:

Domain Name	Domain Name reference	Date of Registration	Respondent
<www-adm1.xyz>	Domain Name 1	October 11, 2025	Terry A Dunlap, Terry Dunlap
<www-adm1.cloud>	Domain Name 1	September 22, 2025	Terry A Dunlap, Terry Dunlap
<www-adm1.cfd>	Domain Name 1	September 22, 2025	Terry A Dunlap, Terry Dunlap
<www-adm1.click>	Domain Name 1	September 22, 2025	Terry A Dunlap, Terry Dunlap
<www-adm1.mom>	Domain Name 1	October 11, 2025	Terry A Dunlap, Terry Dunlap
<www-adm1.help>	Domain Name 1	September 20, 2025	Terry A Dunlap, Terry Dunlap
<www-adm1.qpon>	Domain Name 1	September 20, 2025	Terry A Dunlap, Terry Dunlap
<adml.qpon>	Domain Name 1	September 10, 2025	Terry A Dunlap, Terry Dunlap
<adml.store>	Domain Name 1	September 22, 2025	Terry A Dunlap, Terry Dunlap
<adml.digital>	Domain Name 1	October 11, 2025	Terry A Dunlap, Terry Dunlap
<adml.click>	Domain Name 2	September 17, 2025	Tiffany f Freund, Tiffany Freund
<adml.boats>	Domain Name 2	September 17, 2025	Tiffany f Freund, Tiffany Freund
<adml.mom>	Domain Name 2	September 17, 2025	Tiffany f Freund, Tiffany Freund

At the filing of the Complaint, each of the Domain Names (except for <www-adm1.xyz>, which resolved to an inactive website) resolved to virtually identical login pages, each featuring Complainant's registered leaf logo and ADM word marks, and allegedly prompting users to provide personal data by inviting them to register for the respective site.

## **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 Names.

Notably, Complainant contends that (i) the Domain Names are confusingly similar to Complainant's trademarks; (ii) Respondents have no rights or legitimate interests in the Domain Names; and (iii) Respondents registered and are using the Domain Names in bad faith.

In particular, Complainant contends that it has trademark registrations for ADM, and that Respondents registered and are using the Domain Names with the intention to confuse Internet users looking for bona fide and well-known ADM products and services.

Further, Complainant contends that Respondents have acted in bad faith in acquiring and setting up the Domain Names, when Respondents clearly knew of Complainant's rights.

### **B. Respondent**

Respondents did not reply to Complainant's contentions.

## **6. Discussion and Findings**

### **6.1 Preliminary Issue: Consolidation of Respondents**

Complainant requests consolidation of the nominally different domain name registrants for the Domain Names into a single proceeding because they are under common ownership and/or control for the following reasons:

- Domain Names resolved to nearly identical websites with a login page having a green background and a photo of a man holding a leaf. Each of the websites featured Complainant's design leaf logo mark and prompt Internet users to enter personal information into the respective site. In this regard, the Panel notes that the Domain Name <www-adm1.xyz> resolved to an inactive website at the time of filing of the Complaint;
- Each of the Domain Names was registered through the same Registrar all between September 10, 2025, and October 11, 2025;
- Each of the Domain Names has the same or similar minor alterations to the mark ADM;
- The registrant name of Domain Name 1 is Terry A Dunlap, while the registrant name of Domain Name 2 is Tiffany f Fruend; each registrant has its respective company listed as the registrant name and "US Oregon" as the same part in its address – indicating a similar format in its name and address information.

Complainant also contends that the combination of the above factors justifies the filing of a single Complaint for the 13 Domain Names, and also it would cause Complainant to incur substantial additional time and costs, if Complainant is required to submit separate Complaints.

Respondent did not comment on 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 Complainant's request, the Panel will consider whether (i) the Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. Procedural efficiency would also underpin Panel consideration of such a consolidation

scenario. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

Panels have considered a range of factors, typically present in some combination, as useful to determining whether such consolidation is appropriate, such as similarities in or relevant aspects of (i) the registrants' identity(ies) including pseudonyms, (ii) the registrants' contact information including email address(es), postal address(es), or phone number(s), including any pattern of irregularities, (iii) relevant IP addresses, name servers, or webhost(s), (iv) the content or layout of websites corresponding to the disputed domain names, (v) the nature of the marks at issue (e.g., where a registrant targets a specific sector), (vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>), (vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue, (viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s), (ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s), (x) any (prior) pattern of similar respondent behavior, or (xi) other arguments made by the complainant and/or disclosures by the respondent(s).

As regards the common control, the Panel notes that the similar composition of the Domain Names, the virtually identical websites at the 12 out of 13 Domain Names, the use of Complainant's design mark on the active websites; the same registration dates of the Domain Names or within a short span.

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 domain name registrants (referred to hereinafter as "the Respondent") in a single proceeding.

## **6.2 Substantive Issues**

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Names; and
- (iii) the Domain Names were registered and are being used in bad faith.

Section 4.3 of the [WIPO Overview 3.0](#) states that failure to respond to the complainant's contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are true.

Thus, although in this case, Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

### **A. Identical or Confusingly Similar**

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. See [WIPO Overview 3.0](#), section 1.2.1. Complainant has provided evidence of its rights in the ADM trademarks, as noted above under Section 4. Complainant has therefore proven that it has the requisite rights in the ADM trademarks.

With Complainant's rights in the ADM trademarks established, the remaining question under the first element of the Policy is whether the Domain Names, typically disregarding the Top-Level Domains ("TLDs") in which it is registered (in this case, ".xyz", ".cloud", ".cfd", ".click", ".mom", ".help", ".qpon", ".store", ".digital", and ".boats"), are identical or confusingly similar to Complainant's trademark. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, the Domain Names are confusingly similar to Complainant's ADM trademarks. The ADM trademark is reproduced and recognizable in the Domain Names.

Domain Name	Additional term(s) added to Complainant's trademark
<www-adm1.xyz>	"www-" and "1"
<www-adm1.cloud>	"www-" and "1"
<www-adm1.cfd>	"www-" and "1"
<www-adm1.click>	"www-" and "1"
<www-adm1.mom>	"www-" and "1"
<www-adm1.help>	"www-" and "1"
<www-adm1.qpon>	"www-" and "1"
<adml.qpon>	"l"
<adml.store>	"l"
<adml.digital>	"l"
<adml.click>	"l"
<adml.boats>	"l"
<adml.mom>	"l"

In particular, the Domain Names' inclusion of Complainant's ADM trademark in its entirety, with the addition of the respective term(s) noted above, following to the ADM mark, does not prevent a finding of confusing similarity between the Domain Names and the ADM trademarks. See section 1.8 of the [WIPO Overview 3.0](#).

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

## B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes out such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its ADM trademarks, and does not have any rights or legitimate interests in the Domain Names. In addition, Complainant asserts that Respondent is not authorized to promote Complainant's goods or services and is not related to Complainant. Respondent is also not known to be associated with the ADM trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Names.

In addition, Respondent has not used the Domain Names in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, at the time of the filing of the Complaint, the 12 out of 13 Domain Names each resolved to nearly identical websites that duplicated Complainant's ADM design mark and prompted Internet users to register through entering of personal information into login fields, which potentially mislead Internet users into thinking that the associated websites had been authorized or operated by or affiliated with Complainant. Further, the Domain Name <www-adm1.xyz> resolved to an inactive website at the time of filing of the Complaint.

Thus, such use by Respondent does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use and cannot under the circumstances confer on Respondent any rights or legitimate interests in the Domain Names.

Accordingly, Complainant has provided evidence supporting its prima facie claim that Respondent lacks any rights or legitimate interests in the Domain Names. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Names.

Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Names, and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

### **C. Registered and Used in Bad Faith**

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Names in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a domain name registrant, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided ample evidence to show that registration and use of the ADM trademarks long predate the registration of the Domain Names. Complainant is also well known and established. Indeed, the record shows that Complainant's ADM trademarks and related products and services are widely known and recognized. Therefore, the Panel is of the view that Respondent was aware of the ADM trademarks when they registered the Domain Names. See [WIPO Overview 3.0](#), section 3.2.2; see also *TTT Moneycorp Limited v. Privacy Gods / Privacy Gods Limited*, WIPO Case No. [D2016-1973](#).

The Panel therefore finds that Respondent's awareness of Complainant's trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Further, the registration of the Domain Names, each of which includes Complainant's ADM trademarks suggests Respondent's actual knowledge of Complainant's rights in the ADM trademarks at the time of registration of the Domain Names and their effort to opportunistically capitalize on the registration and use of the Domain Names.

Moreover, Respondent registered and is using the Domain Names to confuse and mislead Internet users looking for bona fide and well-known ADM products and services of Complainant. In particular, at the time of filing of the Complaint, the 12 out of 13 Domain Names resolved to virtually identical websites featuring Complainant's ADM marks, and prompting Internet users to enter personal information into login fields, which would potentially mislead Internet users into thinking that the associated websites had been authorized or operated by or affiliated with Complainant. Respondent has intentionally attempted to attract, for its own

benefit, Internet users to Respondent's websites by creating a likelihood of confusion with Complainant's ADM marks as to the source, sponsorship, affiliation, or endorsement of Respondent's websites. UDRP panels have consistently held that Respondent's use of Domain Names to trade off goodwill in Complainant's well-known trademark constitutes bad faith. See *Philip Morris Products S.A. v. homn mohmoodi*, WIPO Case No. [D2022-4158](#).

Considering the reputation of Complainant's ADM marks, the composition of the Domain Names, and the lack of the Response from Respondent, the fact that the Domain Name <www-adm1.xyz> is inactive does not prevent a finding of bad faith under the doctrine of passive holding in this case. See [WIPO Overview 3.0](#), section 3.3.

Accordingly, the Panel finds that Respondent registered and is using the Domain Names in bad faith and Complainant has succeeded under the third element of paragraph 4(a) 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 Names <adml.boats>, <adml.click>, <adml.digital>, <adml.mom>, <adml.qpon>, <adml.store>, <www-adm1.cfd>, <www-adm1.click>, <www-adm1.cloud>, <www-adm1.help>, <www-adm1.mom>, <www-adm1.qpon>, and <www-adm1.xyz> be transferred to Complainant.

*/Kimberley Chen Nobles/*

**Kimberley Chen Nobles**

Sole Panelist

Date: January 22, 2026