

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Hugo Van Heerden
Case No. D2026-1655

1. The Parties

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

Respondent is Hugo Van Heerden, United States.

2. The Domain Name and Registrar

The Disputed Domain Name <admsnutri.com> is registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 17, 2026. On April 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 20, 2026, 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 (Redacted For Privacy, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to Complainant on April 21, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on April 21, 2026.

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 Respondent of the Complaint, and the proceedings commenced on April 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 13, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 14, 2026.

The Center appointed Richard W. Page as the sole panelist in this matter on May 19, 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 is widely known by its initials "ADM". Founded in 1902, Complainant now serves 200 countries, owns more than 800 facilities worldwide, employs over 38,000 people, and has become one of the world's premier agribusinesses. In 2023, Complainant's worldwide net sales were USD 93 billion.

Although Complainant was originally a food and ingredients company, its business areas 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.

Complainant owns numerous worldwide trademark registrations for its famous "ADM Mark". The ADM Mark was adopted and has been in continuous use since at least as early as 1923 in connection with numerous products and services. The trademark registrations include, without limitation:

United States Registration No. 1,386,430 registered March 18, 1986 for ADM in international classes 1, 4, 12, and others;

United States Registration No. 2,307,492 registered January 11, 2000 for ADM in international classes 35, 36, 40, and 42; and

United States Registration No. 2,766,613 registered September 23, 2003 for ADM in international classes 16, 35, 36, and 42.

The Disputed Domain Name was registered on March 30, 2026 and, according to the evidence submitted by Complainant, it was used for a fraudulent email scheme impersonating Complainant. The Disputed Domain Name was enrolled in a mail exchange (MX) allowing the sending and receiving of email.

5. Parties' Contentions

A. Complainant

Complainant contends that due to its promotion and continued global use of its ADM Mark, it has built up international goodwill and reliability in the ADM Mark among its consumers, wherein the ADM Mark is now well-known and famous.

Complainant further contends that it maintains its global presence online, via its various websites. For example, Complainant maintains an extensive presence online through its main website at the domain name <adm.com> and also provides a platform for its agricultural business partners on the domain name <admandvantage.com>. Complainant places a high priority on safeguarding the security and trust of its worldwide consumers to uphold its global reputation of strong goodwill and reliability.

Complainant contends that the Disputed Domain Name is confusingly similar to the ADM Mark.

Complainant submits that there is no evidence in this record that Respondent is commonly known by the Disputed Domain Name.

Complainant further submits that, merely weeks following the registration of the Disputed Domain Name, Complainant was notified by an employee of InLog Inc. (“InLog”), a United States based logistic company, that InLog had been contacted by “[...]@admsnutri.com”. In the communications, Respondent gave InLog a fraudulent sales representative with a fictitious name, using Complainant’s information, using the actual address for Complainant’s North American Headquarters, and including links to Complainant’s legitimate websites at <adm.com> and <admadvantage.com>, in order to appear as a legitimate contact for Complainant. Complainant further submits that InLog received an email signed by the fictitious employee with product specifications and pricing information regarding Grade A Non-GMO Soybean Meal for Animal Feed that Respondent could purportedly sell on behalf of Complainant. Furthermore, Respondent used the actual address of Complainant’s North American Headquarters to register the Disputed Domain Name.

Complainant further submits that this fraudulent scheme has been used previously and was the subject of several UDRP proceedings in which Complainant prevailed. Complainant further submits that use of the Disputed Domain Name for such purposes precludes any finding that Respondent has engaged in the bona fide sale of goods and services or that it has engaged in any legitimate use of the Disputed Domain Name.

Complainant further alleges that the use of the Disputed Domain Name for a fraudulent scheme is bad faith under the Policy.

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

B. Respondent

Respondent did not reply to Complainant’s contentions.

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel as to the principles the Panel is to use in determining the dispute: “A Panel shall decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules, and any rules and principles of law that it deems applicable.”

Even though Respondent has failed to file a Response or to contest Complainant’s assertions, the Panel will review the evidence proffered by Complainant to verify that the three essential elements of the claims are met. WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.3.

Paragraph 4(a) of the Policy directs that Complainant must prove each of the following three elements:

- i) that the Disputed Domain Name registered by Respondent is identical or confusingly similar to the ADM Mark in which Complainant has rights;
- ii) that 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

[WIPO Overview 3.1](#), section 1.2.1 states that registration of a trademark, here the ADM Mark, prima facie satisfies the threshold requirement of Complainant having trademark rights for purposes of standing to file a UDRP case.

Complainant has shown rights in respect of the ADM Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

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 ADM Mark and the Disputed Domain Name. [WIPO Overview 3.1](#), section 1.7.

The entirety of the ADM Mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the ADM Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here “snutri”, 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 ADM Mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 Respondent may demonstrate rights or legitimate interests in the Disputed Domain Name.

Paragraph 4(c) of the Policy allows three nonexclusive methods for the Panel to conclude that Respondent has rights or a legitimate interest in the Disputed Domain Name:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Disputed Domain Name or a name corresponding to the Disputed Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Disputed Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Disputed Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the ADM Mark.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving that Respondent lacks rights or legitimate interests in the Disputed Domain Name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of Respondent. As such, where Complainant makes out a prima facie case that Respondent lacks rights or legitimate interests, the burden of production on this element shifts to Respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the Disputed Domain Name (although the burden of proof always remains on Complainant). If Respondent fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), 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 Disputed 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 Disputed Domain Name such as those enumerated in the Policy or otherwise.

Panels have held that the use of the Disputed Domain Name for illegitimate activity, here claimed as email fraud, can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.1](#), 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 the Disputed Domain Name in bad faith.

Paragraph 4(b) of the Policy sets forth four nonexclusive criteria for Complainant to show bad faith registration and use of the Disputed Domain Name:

(i) circumstances indicating that you [Respondent] have registered or you have acquired the Disputed Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Disputed Domain Name registration to Complainant who is the owner of the ADM Mark or to a competitor of Complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the Disputed Domain Name; or

(ii) you [Respondent] have registered the Disputed Domain Name in order to prevent the owner of the ADM Mark from reflecting the ADM Mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you [Respondent] have registered the Disputed Domain Names primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the Disputed Domain Names, you [Respondent] 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 ADM Mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product on your website or location.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that the Disputed Domain Name was registered and used in bad faith, but other circumstances may be relevant in assessing whether Respondent's registration and use of the Disputed Domain Name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Panels have held that the use of a domain name for illegitimate activity, here email fraud, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the Disputed 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 Disputed Domain Name <admsnutri.com> be transferred to Complainant.

/Richard W. Page/
Richard W. Page
Sole Panelist
Date: May 25, 2026