

ADMINISTRATIVE PANEL DECISION

ARCELOMITTAL v. Julia Guimaraes, ArcelorMittal
Case No. D2026-3477

1. The Parties

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

The Respondent is Julia Guimaraes, ArcelorMittal, Brazil.

2. The Domain Name and Registrar

The disputed domain name <arcelormittal-brasil.com> is registered with Squarespace Domains II LLC (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on August 5, 2026. On August 5, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 5, 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, ArcelorMittal) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 7, 2026, 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 August 7, 2026.

On August 7, 2026, the Center informed the parties, in Portuguese and English, that the language of the registration agreement for the disputed domain name is Portuguese. On August 7, 2026, the Complainant confirmed its request that English be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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, in English and Portuguese, of the Complaint, and the proceedings commenced on August 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 1, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 3, 2026.

The Center appointed Gilberto Martins de Almeida as the sole panelist in this matter on September 8, 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

The Complainant is a company specializing in steel production, which describes itself as the world's largest steel producer and a market leader in steel supplied, among other sectors, to the automotive, construction, home appliance, and packaging industries.

The Complainant is the holder of International Trademark Registration No. 947686 for the ARCELORMITTAL trademark, registered on August 3, 2007. The Complainant is also the registrant of the domain name <arcelormittal.com>, registered since January 27, 2006.

The disputed domain name, <arcelormittal-brasil.com>, was registered on July 31, 2026.

According to the evidence submitted, the disputed domain name resolves to a "under construction" website.

The Registrar confirmed that "Julia Guimaraes" is the registrant of the disputed domain name, with "ArcelorMittal" indicated as the organization in the registration records.

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 its ARCELORMITTAL trademark, as it reproduces the trademark in its entirety, with the mere addition of the term "brasil" and the ".com" suffix. According to the Complainant, the inclusion of "brasil" does not prevent a finding of confusing similarity, nor does it alter the overall impression that the disputed domain name is associated with the Complainant.

With regard to rights or legitimate interests, the Complainant states that it has not granted the Respondent any license or authorization to use the ARCELORMITTAL trademark or to register the disputed domain name. The Complainant further submits that the website associated with the disputed domain name is under construction and that there is no evidence of any use of, or demonstrable preparations to use, the disputed domain name and this demonstrates a lack of legitimate interest.

As to bad faith, the Complainant contends that the ARCELORMITTAL trademark is highly distinctive and widely known, such that the Respondent could not reasonably have registered a domain name reproducing the trademark in its entirety without knowledge of the Complainant's rights. The Complainant also relies on the fact that the website is inactive or under construction as circumstances indicative of registration and use in bad faith.

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Portuguese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint was filed in English. The Complainant requested that the language of the proceeding be English stating that English is widely used in international relations and is one of the working languages of the Center.

The Complainant further submitted that a proceeding in Portuguese would require it to retain specialized translation services, likely at a cost exceeding the overall cost of the proceeding, and would therefore impose a disproportionate burden.

The Respondent did not make any specific submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.5.1).

Having considered all the matters above, and noting the lack of objection by the Respondent, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

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 3.1](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), 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 3.1](#), section 1.7. Although the addition of the term "brasil" and a hyphen, may bear on assessment of the second and third elements, the Panel finds such additions do not prevent a finding of confusing similarity between the disputed domain name and the 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 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 3.1](#), 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.

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 the Respondent registered the disputed domain name 19 years after the registration of the Complainant’s ARCELORMITTAL trademark, reproducing it in its entirety with the mere addition of the geographic term “brasil”, separated by a hyphen. The disputed domain name is not being actively used and resolves to a website that is under construction, which constitutes passive holding. In view of the distinctiveness of the ARCELORMITTAL trademark, the composition of the disputed domain name, and the Respondent’s failure to provide any evidence of a bona fide purpose or contemplated legitimate use, the Panel finds that the Respondent’s passive holding of the disputed domain name does not prevent a finding of registration and use in bad faith.

Panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. [WIPO Overview 3.1](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant’s trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

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-brasil.com> be transferred to the Complainant.

/Gilberto Martins de Almeida/
Gilberto Martins de Almeida
Sole Panelist
Date: September 17, 2026