

ADMINISTRATIVE PANEL DECISION

Arcelormittal v. Maria Oliveira

Case No. D2026-3817

1. The Parties

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

The Respondent is Maria Oliveira, Canada.

2. The Domain Name and Registrar

The disputed domain name <usa-arcelormittal.com> is registered with Register.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 26, 2026. On August 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 26, 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 (Unknown, Perfect Privacy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 27, 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 28, 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 the Respondent of the Complaint, and the proceedings commenced on August 31, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 20, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 21, 2026.

The Center appointed Stefan Bojovic as the sole panelist in this matter on September 25, 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 steel-producing company and, according to the Complainant, it is the market leader in steel for use in automotive, construction, household appliances and packaging with 55.6 million tons of crude steel produced in 2025.

The Complainant is the owner of trademark registrations for ARCELORMITTAL, including International trademark registration No. 947686 for ARCELORMITTAL, registered on August 3, 2007.

The Complainant also owns the domain names incorporating its ARCELORMITTAL trademark, such as <arcelormittal.com>, registered on January 27, 2006.

The disputed domain name was registered on August 20, 2026, and, at the time of filing of the Complaint, it resolved to a template webpage related to yoga. At the time of this Decision, the disputed domain name resolves to a “404 Error” page. Mail Exchange (MX) records are configured for the disputed domain name.

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. The addition of the term “usa” is not sufficient to avoid the finding that the disputed domain name is confusingly similar to the Complainant’s trademark ARCELORMITTAL. Furthermore, the Complainant contends that the addition of the generic Top-Level Domain (“gTLD”) “.com” does not change the overall impression and does not prevent the confusing similarity between the disputed domain name and the Complainant’s trademark.

With reference to rights or legitimate interests in respect of the disputed domain name, the Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name and is not related to the Complainant in any way. The Complainant does not carry out any activity for, nor has any business with the Respondent. Neither a license nor authorization has been granted to the Respondent to make any use of the Complainant’s ARCELORMITTAL trademark, or apply for registration of the disputed domain name. Finally, the disputed domain name is used for a website template that includes text that appears to be placeholder text (e.g. “Edit this text to make it your own. To edit, simply click directly on the text to start adding your own words.”). Thus, the Complainant asserts that the evidence suggests that the Respondent is not actually providing services, or if it is, that the use of the disputed domain name fails to confer rights and legitimate interests, as it is used to promote unrelated services.

With reference to the circumstances evidencing bad faith, the Complainant contends that the Complainant’s ARCELORMITTAL trademark is widely known and that past panels have confirmed the notoriety of this trademark. Given the distinctiveness of the Complainant’s trademark and reputation, it is reasonable to infer that the Respondent has registered the disputed domain name with full knowledge of the Complainant’s trademark. The disputed domain name is used for a website template and seems

to promote yoga services. The Complainant contends that the Respondent attempts to attract Internet users by creating a likelihood of confusion with the Complainant's trademark. Past panels have held that this is evidence of bad faith registration and use. Finally, the disputed domain name has MX records configured which suggests that it may be actively used for email purposes.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules: "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy stipulates that the complainant must prove each of the following:

- (i) that the disputed domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in which the complainant has rights;
- (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 Select UDRP Questions (["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 Complainant's ARCELORMITTAL trademark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, "usa", as a common abbreviation for the United States of America) 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 Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

In addition, it is well established that ".com", as a gTLD, is disregarded in the assessment of the confusing similarity between the disputed domain name and the trademark. [WIPO Overview 3.1](#), section 1.11.1.

The Panel, therefore, finds that 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 notes that according to the record there is no relationship between the Respondent and the Complainant and that the Respondent is not a licensee of the Complainant, nor has the Respondent otherwise obtained an authorization to use the Complainant’s ARCELORMITTAL trademark. There appears to be no element from which the Panel could infer the Respondent’s rights or legitimate interests in the disputed domain name, or that the Respondent might be commonly known by the disputed domain name.

The disputed domain name resolves to a template webpage related to yoga. Although such use of the disputed domain name is not per se illegitimate, the fact is that the Respondent has chosen a domain name that incorporates the Complainant’s ARCELORMITTAL trademark in its entirety and associated it with a content unrelated to the Complainant’s activity, without providing any credible explanation for such conduct. In the Panel’s view, such use of the disputed domain name cannot be considered a bona fide offering of goods and services, as it is clear that yoga-related content, is offered through a domain name that appropriates the reputation associated with the Complainant’s trademark.

The Panel also finds that the composition of the disputed domain name, which contains the Complainant’s ARCELORMITTAL trademark in combination with the term “usa”, carries a risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1.

Having in mind the above, 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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith.

[WIPO Overview 3.1](#), section 3.2.1.

In the present case, the Panel notes that it is more likely than not that the Respondent was aware of the Complainant and its ARCELORMITTAL trademark. It is highly unlikely that the Respondent decided to register a domain name containing this trademark in its entirety without having the Complainant and its trademark in mind when doing so, especially when the distinctiveness and reputation of the ARCELORMITTAL trademark are taken into account. Additionally, the first registration and use of the ARCELORMITTAL trademark predate the registration of the disputed domain name by almost two decades, making it unlikely that the Respondent was not aware of the Complainant's trademark at the time of registration of the disputed domain name.

Due to the above, the Panel finds that the disputed domain name has been registered in bad faith.

The Panel further considers that the Respondent has intentionally attempted to attract Internet users to its website by creating a likelihood of confusion with the Complainant's ARCELORMITTAL trademark as to the source, sponsorship, affiliation, or endorsement of the website. The choice of the disputed domain name for a template webpage related to yoga suggests that the Respondent sought to capitalize on the Complainant's trademark and its reputation.

While the disputed domain name no longer resolves to an active website, such inactivity does not prevent a finding of bad faith given the totality of the circumstances of the case at hand.

[WIPO Overview 3.1](#), section 3.3.

The Panel also considers that configuration of mail exchange records (MX records) on the disputed domain name further supports the finding of the Respondent's bad faith. Previous panels have held that configuration of such records can represent a severe risk noting the composition of the domain name as the domain name remains under the control of the respondent (see, for example, *Carrefour v. WhoisGuard, Inc.*, *WhoisGuard Protected / Robert Jurek, Katrin Kafut, Purchasing clerk, Starship Tapes & Records*, WIPO Case No. [D2017-2533](#) and *Accenture Global Services Limited v. WhoisGuard Protected, WhoisGuard, Inc. / Basikta James*, WIPO Case No. [D2020-2955](#)). In a situation where the disputed domain name is confusingly similar to the third-party trademarks that enjoy certain reputation within their field of business, it is indeed, rather difficult to imagine any good faith use of the mail server attached to such domain name. In the case at hand, the disputed domain name is confusingly similar to the Complainant's ARCELORMITTAL trademark, which further increases the risk of fraudulent activity arising from the configuration of MX records for the disputed domain name.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Therefore, 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 <usa-arcelormittal.com> be transferred to the Complainant.

/Stefan Bojovic/

Stefan Bojovic

Sole Panelist

Date: October 7, 2026