ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Archer-Daniels-Midland Company v. Alabi Saheed, Admfoods
Case No. D2026-3962

1. The Parties

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

The Respondent is Alabi Saheed, Admfoods, US.

2. The Domain Name and Registrar

The disputed domain name <admagrofoods.com> is registered with Metaregistrar BV (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 3, 2026. On September 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 7, 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 (N/A, Whois Privacy Protection Foundation) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 9, 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 September 15, 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 September 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 6, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 9, 2026.

The Center appointed Dennis A. Foster as the sole panelist in this matter on October 14, 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

Founded in the US in 1902, the Complainant operates a large agricultural business throughout the world and generates roughly USD 100 billion in annual net sales while employing thousands of people worldwide. The Complainant was long an agricultural and food products company but has now branched out into energy and financial services.

The Complainant's operations are conducted using its ADM trademark, in use since 1923, and which is registered in jurisdictions worldwide, including with the United States Patent and Trademark Office ("USPTO") per the below. For example:

Registration No. 1386430; Registration date: March 18, 1986; International Classes: 1 for industrial chemicals, 4 for industrial oils and lubricants, 12 for vehicles, and more.

Registration No. 2766613; Registration date: September 23, 2003; International Classes: 16 for printed materials, 35 for market research services, 36 for banking and financial services, and 42 for scientific research and software.

The Complainant's business operations are facilitated by use of its primary website at the domain name <adm.com> which was registered in 1994. This allows global communications and business transactions with the Complainant.

The Respondent registered the disputed domain name on December 16, 2025. Although not resolving to an active webpage, the disputed domain name was used to send emails using the Complainant's mark, logo, and business address to potential customers of the Complainant seeking payment for goods the Respondent did not deliver.

5. Parties' Contentions

A. Complainant

The disputed domain name is confusingly similar to the Complainant's ADM trademark as that mark is incorporated into the disputed domain name. The addition of the wording "agrofoods" fails to create any meaningful distinction between the two. The additional term increases the confusion with the Complainant's mark because the Complainant's primary offerings center on agriculture and food processing.

The Respondent has no rights or legitimate interests in the disputed domain name. There is no evidence to suggest the Respondent has been commonly known by the disputed domain name. Moreover, since the disputed domain name was used by the Respondent to send emails to deceive Internet users into believing that they are engaging with the Complainant for the purchase of goods and services, the disputed domain name is being used neither for a bona fide offering of goods or services nor for legitimate noncommercial or fair use purposes.

The Respondent is using the Complainant's ADM trademark in a deceptive manner for financial gain. In at least one instance, the Respondent used the disputed domain name to contact repeatedly a third party in a fraudulent attempt to collect money based on a bulk product order that would be consistent with the Complainant's offerings. In doing so, the Respondent contacted the victim using the false impersonation of one of the Complainant's actual employees.

Given the worldwide recognition of the Complainant's ADM trademark, it is clear that the Respondent registered and is using the disputed domain name in bad faith.

B. Respondent

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

6. Discussion and Findings

Pursuant to Policy paragraphs 4(a)(i), (ii), and (iii), the Panel may render a decision for the Complainant and grant a transfer of the disputed domain name, if the Complainant shows that:

The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

The Respondent has no rights or legitimate interests in respect of the disputed domain name; and

The disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

Having presented the Panel with evidence confirming its registration of the ADM trademark with the USPTO, the Complainant has fulfilled the standing requirements in Policy paragraph 4(a)(i) to proceed with this case. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.2.1.

The Panel notes that the Complainant's ADM trademark is fully incorporated and is readily recognizable in the disputed domain name. The additional elements in the disputed domain name are the terms "agro" and "foods" which do not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademark. WIPO Overview 3.1, sections 1.7 and 1.8. See also *Archer-Daniels-Midland Company (ADM) v. Archer Daniels Midlands*, WIPO Case No. D2024-3533 (finding <admnutrients.com> to be confusingly similar to the ADM trademark).

Finally, the applicable Top-Level Domain (e.g., ".com", ".club", ".nyc") is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

The Panel thus finds that the Complainant has carried its burden of proof for the first element of the Policy.

B. Rights or Legitimate Interests

While the overall burden of proof in a UDRP proceeding rests 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". This would likely require information often primarily within the knowledge or control of the respondent. Therefore, where a complainant sustains a prima facie case that the respondent lacks rights or legitimate interests in a disputed domain name, the burden of production shifts to the respondent to come forward with evidence demonstrating rights or legitimate interests in that disputed domain name, although the ultimate burden of proof remains on the complainant. If the respondent fails to produce such evidence, the complainant is deemed to have satisfied the Policy second element. See WIPO Overview 3.1, section 2.1.

In these proceedings, the Complainant avers that it is not affiliated with the Respondent and has not authorized the Respondent to use its ADM mark in any manner and that the Respondent used the disputed domain name for fraudulent purposes. The Panel finds this is a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name.

Because the Respondent has not filed a Response, the Panel will determine whether a reasonable rebuttal can be sustained against the Complainant's prima facie case based on the available record in these proceedings. In rendering this determination, the Panel will accept all of the reasonable evidence included in the Complaint as true. WIPO Overview 3.1, section 2.1. See also *SomaLogic Operating Co. v. Edwards James*, WIPO Case No. D2022-2902 ("The Respondent has not submitted a response to the Complaint or otherwise, in the absence of which the Panel may accept all reasonable inferences and allegations in the Complaint as true.").

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in the disputed domain name. In that regard, the Respondent did not come forward and demonstrate any rights or legitimate interests in the disputed domain name to rebut the Complainant's contentions. The Complainant contends, with credible evidence, that the disputed domain name has been used by the Respondent to impersonate an employee of the Complainant and correspond fraudulently with an executive of a third-party company in an attempt to obtain unwarranted payment for goods that the Respondent did not supply. The Panel finds this fraudulent scheme is neither "a bona fide offering of goods or services" nor "a legitimate noncommercial or fair use of the disputed domain name" per Policy paragraphs 4(c)(i) or 4(c)(iii). WIPO Overview 3.1, section 2.13.1 ("Panels have categorically held that the use of a domain name for illegal activity [e.g., […] passing off, or other types of fraud] can never confer rights or legitimate interests on a respondent.").

With respect to whether the Respondent can claim rights or legitimate interests in the disputed domain name pursuant to Policy paragraph 4(c)(ii) based on being commonly known by the disputed domain name, the Panel notes that the available record does not establish that the Respondent is commonly known by the disputed domain name or a corresponding name. Although the Respondent used the company name "Admfoods" during the registration of the disputed domain name, there is no evidence in the case file that the Respondent is commonly known by that name. Moreover, the Panel undertook an independent Internet search, which did not reveal any company named "Admfoods" operating within the US, where the Respondent is reportedly located. [1] Accordingly, Policy paragraph 4(c)(ii) does not apply in this case.

The Panel therefore finds that the Complainant has sustained its burden of proof for the second element of the Policy at paragraph 4(a)(ii).

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of Policy paragraph 4(a)(iii), Policy paragraph 4(b) establishes four non-exhaustive circumstances that can give rise to a panel finding that the registration and use of a domain name was in bad faith. The Panel notes Policy paragraph 4(b)(iv) in particular:

"by using the domain name, [the respondent has] intentionally attempted to attract, for commercial gain, Internet users to [its] website or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of [the respondent's] website or location or of a product or service on [the respondent's] website or location."

In the present case, the Panel finds the Complainant has established that its trademark is well known, and that the Respondent had to be well aware of that mark when registering the disputed domain name. Also considering the nature of the disputed domain name (incorporating the Complainant's ADM mark plus the additional descriptive terms "agro" and "foods" which together correspond to the Complainant's area of activity) and its use, the Panel finds that the disputed domain name was registered in bad faith to take advantage of the Complainant's mark.

[1] Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party's contention. WIPO Overview 3.1, section 4.8.

Furthermore, the Complainant has shown that the Respondent is using the disputed domain name to send emails, purportedly from one of the Complainant's employees, to fraudulently collect payments from potential customers of the Complainant. The Panel finds that such use of the disputed domain name to gain financial benefit through the likelihood of confusion with the Complainant's trademark is bad faith per Policy paragraph 4(b)(iv). See WIPO Overview 3.1, section 3.4; and *Archer-Daniels-Midland Company v. Rohit Kinra*, WIPO Case No. D2024-0413 ("Respondent's targeting of Complainant's mark in order to impersonate Complainant for commercial gain falls squarely within the above-quoted Policy paragraph 4(b)(iv), and hence constitutes bad faith registration and use of the Domain Name.").

Consequently, the Panel finds that the Complainant has proved the third element of the Policy at paragraph 4(a)(iii).

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, <admagrofoods.com>, be transferred to the Complainant.

/Dennis A. Foster/
Dennis A. Foster
Sole Panelist
Date: October 28, 2026