Panel Decision for dispute CAC-ADREU-008818

Case number	CAC-ADREU-008818
Time of filing	2025-10-07 10:49:35
Domain names	arcelormittal-sa.eu

Case administrator

Organization	Iveta Špiclová (Czech Arbitration Court) (Case admin)

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Organization	RTD GROUP OF COMPANIES

INSERT INFORMATION ABOUT OTHER LEGAL PROCEEDINGS THE PANEL IS AWARE OF WHICH ARE PENDING OR DECIDED AND WHICH RELATE TO THE DISPUTED DOMAIN NAME

The Panel is not aware of any pending or decided legal proceedings related to the disputed domain name.

FACTUAL BACKGROUND

The Complainant is ARCELORMITTAL, one of the largest steel producing company in the world.

The Complainant is the owner of the international trademark ARCELORMITTAL n° 947686 registered SINCE August 3, 2007.

The Complainant is also the owner of the domain name <arcelormittal.com>, registered since January 27, 2006.

The disputed domain name is <arcelormittal-sa.eu>, registered on August 4, 2025. It resolves to the Complainant’s official web site.

The Complainant filed a Complaint on August 8, 2025, and amended the same on August 14, 2025.

A. COMPLAINANT

The Complainant claims that the disputed domain name violates its trademark rights, that the Respondent has no legitimate interest in the disputed domain name and that the same was filed and is used in bad faith.

The Complainant requests the transfer of the disputed domain name.

B. RESPONDENT

The Respondent did not file any response to the complaint and was found in default on September 9, 2025.

DISCUSSION AND FINDINGS

The Panel is to decide, in view of the facts and arguments of the parties, whether the conditions of article Article 4.4 of Reg. (EU) 2019/517 are satisfied to decide whether the disputed domain name should be transferred to the Complainant or not.

1) **ON THE PRIOR RIGHTS**

Pursuant to Article 4.4 of Reg. (EU) 2019/517, "A domain name may also be revoked, and where necessary subsequently transferred to another party, following an appropriate ADR or judicial procedure […] where that name is identical or confusingly similar to a name in respect of which a right is established by Union or national law"

The Panel finds that the trademark rights vested in the name ARCELORMITTAL claimed by the Complainant are substantiated.

The Complainant justifies that it owns at least one ARCELORMITTAL formative trademark:

- The international trademark ARCELORMITTAL n° 947686 registered August 3, 2007

Consequently, the Panel finds that the Complainant demonstrated it has prior rights.

2) **ON THE IDENTITY OR CONFUSINGLY SIMILARITY OF THE DISPUTED DOMAIN NAME**

The disputed domain name <arcelormittal-sa.eu> reproduces the Complainant's registered trademark ARCELORMITTAL

Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise), in this case the abbreviation "SA" that stands for "Société Anonyme" and refers to the legal status of a company, would not prevent a finding of confusing similarity.

Furthermore, the addition of the Top-Level Domain ("eu") ".com" does not prevent a finding of confusing similarity.

The Panel finds therefore that the disputed domain name is identical and confusingly similar to the Complainant's trademark and that the requirements of Article 4.4 of Reg. (EU) 2019/517 are satisfied.

3) **ON THE LEGITIMATE INTEREST IN THE DISPUTED DOMAIN NAME**

Article 4.4 of Reg. (EU) 2019/517: "A domain name may also be revoked, and where necessarily subsequently transferred to another party, following an appropriate ADR or judicial procedure […] where it (a) has been registered by its holder without rights or legitimate interest in the name".

Pursuant to Article 4.4 of Reg. (EU) 2019/517, the legitimate interest condition is considered as fulfilled when:

1. Prior to any notice of an alternative dispute resolution procedure, the respondent has used the domain name or a name corresponding to the domain name in connection with the offering of goods or services or has made demonstrable preparation to do so;

   b) the respondent has been commonly known by the domain name;

   c) the respondent is making a legitimate and non-commercial or fair use of the domain name, without intend to mislead consumers or harm the reputation of the name on which a right is recognized.

It is the Panel's view that the overall burden of proof under the above provision rests with the Complainant, which is required to establish that the Respondent prima facie lacks any rights to, or legitimate interests in, the disputed domain name, and that if the Respondent fails to answer such case, the Complainant is deemed to have satisfied its burden of proof.

2. The Complainant states that the Respondent has no rights to or legitimate interests in the disputed domain name on the grounds that:

- the Complainant has not licensed or otherwise permitted the Respondent to use any of its trademarks and has not permitted the Respondent to apply for or use any domain name incorporating the ARCELORMITTAL mark;

- there is no evidence of the Respondent's 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 within the meaning of paragraph B(1)(b)(10)(i)(B) of the ADR Rules; and

- there is also no evidence which suggests that the Respondent is commonly known by the disputed domain name or the name ARCELORMITTAL.

The Respondent, being in default, has not presented any justification for holding the disputed domain name.

In view of the factual situation, and the Complainant's contentions, that are not contested by the Respondent, the Panel finds that the Respondent does not appear to have any rights or legitimate interests in the disputed domain name.

The conditions of article Article 4.4 of Reg. (EU) 2019/517 are therefore satisfied.

4) ON THE RESPONDENT'S BAD FAITH

Article 4.4 of Reg. (EU) 2019/517: "A domain name may also be revoked, and where necessarily subsequently transferred to another party, following an appropriate ADR or judicial procedure where it:

(b) has been registered or is being used in bad faith."

The Complainant has substantiated the fact that its trademark ARCELORMITTAL benefits from public's awareness. Earlier CAC decisions have acknowledged the distinctiveness and reputation of the said mark (CAC Case No. 101908, ARCELORMITTAL v. China Capital; CAC Case No. 101667, ARCELORMITTAL v. Robert Rudd).

It is also noted that the disputed domain name is redirected to the Complainant's official web site.

For this Panel, it is a clear indication that the Respondent necessarily had the Complainant's trademark in mind when it registered the disputed domain name.

The Panel infers from the above that the Respondent acted in bad faith when it registered the disputed domain name.

It is further noted by the Panel that the disputed domain name is not being actively used by the Respondent, and does not resolve to any active webpage with substantive content.

It is only redirected to the Complainant's official web site.

It is however a consensus view among panels that lack of so-called active use (e.g., to resolve to a website) of a domain name does not prevent a finding of bad faith.

The Panel must examine all the circumstances of the case to determine whether the Respondent is acting in bad faith.

In this case, the Panel takes into account the degree of distinctiveness and reputation of the Complainant's ARCELORMITTAL trademark, and the implausibility of any good faith use to which the inherently misleading disputed domain name may be put.

The Panel is thus satisfied that the disputed domain name was registered and is used in bad faith in the meaning of Article 4.4 b) of Reg. (EU) 2019/517.

5) TRANSFER OF THE DISPUTED DOMAIN NAME / ELIGIBILITY OF COMPLAINANT

The Complainant is a Luxemburg-based company and having its domicile / place of business within the European Community. Therefore, the requirements for the requested transfer of the disputed domain name to the Complainant are satisfied (Section B No.1 (b) (12) of the ADR Rules).

The Panel finds that the Complainant satisfies the general eligibility criteria for registration set out in Article 3 of Reg. (EU) 2019/517.

DECISION

For all the foregoing reasons, in accordance with Paragraphs B12 (b) and (c) of the Rules, the Panel orders that the domain name <arcelormittal-sa.eu> be transferred to the Complainant.

PANELISTS

Name	**William Lobelson**

DATE OF PANEL DECISION 2025-10-07

Summary

ENGLISH SUMMARY OF THIS DECISION IS HEREBY ATTACHED AS ANNEX 1

1. Disputed domain name: arcelormittal-sa.eu

II. Country of the Complainant: France, country of the Respondent: France

III. Date of registration of the domain name: August 4, 2025

IV. Rights relied on by the Complainant (B(11)(f) ADR Rules) on which the Panel based its decision:

International trademark ARCELORMITTAL n° 947686 registered August 3, 2007;

1.

Response submitted: No

VI. Domain name is identical/confusingly similar to the protected right/s of the Complainant

VII. Rights or legitimate interests of the Respondent (B(11)(f) ADR Rules):
1. No
2. Why: No authorization from Complainant / Domain name inactive

VIII. Bad faith of the Respondent (B(11)(e) ADR Rules):
1. Yes
2. Why: Reputation of Complainant's mark / no active use of domain name / disputed domain name directed to Complainant's official web site

2.

Other substantial facts the Panel considers relevant: -

X. Dispute Result: Transfer of the disputed domain name

XI. Procedural factors the Panel considers relevant: -

XII. Is Complainant eligible? Yes