

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Theresa g Chavez, Theresa Chavez
Case No. D2025-2717

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 Theresa g Chavez, Theresa Chavez, United States.

2. The Domain Name and Registrar

The disputed domain name <www-adm.vip> is registered with Gname.com Pte. Ltd. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 9, 2025. On July 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 11, 2025, 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) and contact information in the Complaint. The Center sent an email communication to Complainant on July 11, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on July 11, 2025.

The Center verified that the Complaint together with the amendment to the 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 July 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 4, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on August 6, 2025.

The Center appointed Frederick M. Abbott as the sole panelist in this matter on August 12, 2025. 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 a major multinational agribusiness corporation serving 200 countries, owning more than 800 facilities worldwide, employing over 38,000 people, and in 2023 with worldwide net sales at USD 93 billion. Although Complainant was originally a food and ingredients company, its business areas also 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 uses the trademark ADM extensively in conducting its worldwide business operations and is well known by its suppliers and customers under that trademark. Complainant operates various commercial websites, including its main website located at “www.adm.com”.

Complainant is the owner of numerous registrations for the word, and word and design, trademark ADM in the United States and in other countries. On the Principal Register of the United States Patent and Trademark Office (“USPTO”), Complainant’s registrations for the word trademark ADM include registration number 1,386,430, registration dated March 18, 1986, in international classes (“ICs”) 1, 4, 12, 16, 29, 30, 31, 33, and 39, covering, inter alia, chemicals for industrial use and staple foods; registration number 2,301,968, registration dated December 21, 1999, in IC 5, covering, inter alia, vitamins and dietary supplements for human consumption, and; registration number 2,307,492, registration dated January 11, 2000, in ICs 35, 36, 40, and 42, covering, inter alia, information services in the fields of employment, finance, food processing and agriculture.

According to the Registrar’s verification, Respondent is registrant of the disputed domain name. According to the Whois report, the disputed domain name was registered by Respondent on June 3, 2025.

Respondent has used the disputed domain name to direct Internet users to a webpage soliciting registration information and mobile telephone numbers. The default mobile telephone number request incorporates the country code for Malaysia (+60). Respondent’s webpage incorporates Complainant’s distinctive logo and word mark. Respondent also has incorporated a link employing the disputed domain name on a Facebook posting specifically stated to be originating from Complainant (Archer Daniels Midland Company), including the ADM trademark and a photo of Complainant’s North American headquarters building, and offering RM 15 for “successful registration” at the website identified by the disputed domain name.

There is no evidence on the record of this proceeding of any relationship, commercial or otherwise, between Complainant and Respondent.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that it owns rights in the trademark ADM and that the disputed domain name is confusingly similar to its trademark.

Complainant alleges that Respondent lacks rights or legitimate interests in the disputed domain name because: (1) Respondent has not been commonly known by the disputed domain name; (2) Respondent has used the disputed domain name in furtherance of a fraudulent scheme; (3) there is no legitimate reason

for Respondent to have registered the disputed domain name and immediately impersonated Complainant; (4) Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, and; (5) Respondent has not made preparations to use the disputed domain name in connection with a bona fide offering of goods or services.

Complainant argues that Respondent registered the disputed domain name in bad faith because: (1) Respondent is using the disputed domain name to deceive individuals via a Facebook page and webpage; (2) Respondent has fraudulently solicited personal information on its webpage and Facebook page; (3) Respondent's activities are damaging to Complainant's reputation, employee and business relationships, and; (4) the registration of Complainant's well-known trademark by Respondent in itself evidence is bad faith, including through creating a likelihood of confusion between Respondent and Complainant and its well-known trademark.

Complainant requests the Panel to direct the Registrar to transfer the disputed domain name to Complainant.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

The Center formally notified the Complaint to Respondent at the email addresses provided in its record of registration. Courier delivery to the physical address used by Respondent could not be undertaken because of false and incomplete information in Respondent's record of registration. The Center took those steps prescribed by the Policy and the Rules to provide notice to Respondent, and those steps are presumed to satisfy notice requirements.

Paragraph 4(a) of the Policy sets forth three elements that must be established by a complainant to merit a finding that a respondent has engaged in abusive domain name registration and use and to obtain relief.

These elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which complainant has rights;
- (ii) respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) 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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Complainant has shown rights in respect of its ADM trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1¹.

¹The Panel uses the term "trademark" in its inclusive sense covering both trademark and service mark.

The entirety of the ADM 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 3.0](#), section 1.7.

Although the addition of other terms, here the prefix “www-”, 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 mark for the purposes of the Policy. [WIPO Overview 3.0](#), 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 a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on Complainant, panels have recognized that proving 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 Respondent. As such, where Complainant, as here, 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 domain name (although the burden of proof always remains on Complainant). If Respondent, as here, fails to come forward with such relevant evidence, Complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), 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. The evidence suggests no plausible good faith basis for Respondent’s registration and use of the disputed domain name, and Respondent has not suggested one.

Panels have held that the use of a domain name for illegitimate and presumptively illegal activity, here claimed as soliciting personal data under false pretenses by fraudulent impersonation of Complainant, can never confer rights or legitimate interests on Respondent. [WIPO Overview 3.0](#), 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 a domain name in bad faith.

In the present case, the Panel notes that Respondent manifestly was aware of Complainant and its trademark when it registered the disputed domain name because it incorporated Complainant’s distinctive logo on its webpage in addition to Complainant’s word trademark, and it included a photograph of Complainant’s North American headquarters building on a Facebook page linked to Respondent’s webpage.

Respondent used the disputed domain name host a webpage soliciting data, including mobile telephone numbers, from Internet users. This was part of a broader scheme involving an associated Facebook page offering a financial bonus to Internet users for providing information, and for inviting additional providers of information. Respondent therefore used the disputed domain name to solicit information from Internet users under false pretenses. Such activity is likely to cause reputational harm to Complainant. Respondent has used the disputed domain name confusingly similar to Complainant’s trademark for commercial gain to

create a likelihood of confusion for Internet users based on Complainant acting as the source, sponsor, affiliate or endorser of Respondent's webpage. Such activity constitutes bad faith use of the disputed domain name within the meaning of paragraph 4(b)(iv) of the Policy.

Panels have held that the use of a domain name for illegitimate and presumptively illegal activity, here claimed as soliciting personal data under false pretenses by fraudulent impersonation of Complainant, constitutes bad faith. [WIPO Overview 3.0](#), 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 <www-adm.vip> be transferred to Complainant.

/Frederick M. Abbott/

Frederick M. Abbott

Sole Panelist

Date: August 20, 2025