

ADMINISTRATIVE PANEL DECISION

Archer-Daniels-Midland Company v. Terry A Dunlap, Terry Dunlap,
Tiffany f Freund, Tiffany Freund
Case No. D2025-3737

1. The Parties

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

Respondents are Terry A Dunlap, Terry Dunlap, and Tiffany f Freund, Tiffany Freund, United States.

2. The Domain Names and Registrar

The disputed domain names <adm.directory>, <adml.cloud>, <adml.club>, <adml.rest>, <adm.rest>, <adm1.beauty>, <adm1.cloud>, <adm1.fun>, <adm1.info>, <adm1.mom>, <www-adm.cloud>, <www-adm.club>, <www-adm.info>, <www-adm.monster>, <www-adm.online>, <www-adm.site>, <www-adm1.cyou>, <www-adm1.shop>, and <www-adm1.top> are 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 September 15, 2025. On September 16, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 17 and 18, 2025, the Registrar transmitted by emails to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (“unknown”) and contact information in the Complaint. The Center sent an email communication to Complainant on September 18, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on September 18, 2025.

On September 19 and 22, 2025, Complainant requested the addition of another three domain names into the dispute. On September 22 and 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the added disputed domain names. On September 23 and 24, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which partially differed from the named Respondent (“Terry A Dunlap, Terry Dunlap”) and contact information in the amended Complaint.

The Center sent an email communication to Complainant on September 24, 2025 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting Complainant to either file separate complaint(s) for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amended Complaint on September 24, 2025.

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 Respondents of the Complaint, and the proceedings commenced on September 26, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 16, 2025. Respondents did not submit any response. Accordingly, the Center notified Respondents' default on October 17, 2025.

The Center appointed Georges Nahitchevansky as the sole panelist in this matter on October 27, 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, Archer-Daniels-Midland Company, is an American multinational company founded in 1902 specializing, inter alia, in food processing and commodities trading. Complainant owns and uses the name and mark ADM as a short form of its full name and owns a number of registrations for its ADM mark around the world for a wide variety of goods and services. Of particular relevance for this proceeding, Complainant owns several trademark registrations for the ADM mark, as a word mark, in the United States (Registration Nos. 1,386,430, 2,766,613, and 2,301,968), the earliest of which issued to registration on March 18, 1986. Complainant also owns and uses the domain name <adm.com> for Complainant's primary website that provides information concerning Complainant and its products and services and to interact with Complainant's customers.

Respondents in this proceeding appear to be based in the United States, possibly in the State of Oregon. Respondent registered the disputed domain names between September 10 and 20, 2025. At some point after registering the disputed domain names, Respondents started to post login pages at the disputed domain names that include a copy of Complainant's leaf logo along with Complainant's ADM name in a copyright notice. Many of the disputed domain names currently do not resolve to an active website or page.

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 names.

Notably, Complainant maintains that it has strong rights in the ADM mark by virtue of its use of such since 1923 and through its many trademark registrations for ADM in the United States and around the world. Complainant also maintains that it has "built an enhanced international reputation and goodwill in the ADM Mark, which is well-known and famous". In that regard, Complainant notes that a number of prior UDRP panels have found Complainant's ADM mark to be well known.

Complainant asserts that the disputed domain names are confusingly similar to its ADM mark as they each fully incorporate the ADM mark which is the “prominent and recognizable portion of the domains”.

Complainant argues that Respondents do not have any rights or legitimate interests in the disputed domain names as Respondents (i) are not commonly known by the disputed domain names, and (ii) have not made any legitimate, noncommercial or fair use of the disputed domain names. In that regard, Complainant notes that Respondents have used the disputed domain names to impersonate Complainant and to deceive individuals through fraudulent web pages.

Lastly, Complainant contends that Respondents by registering and using the disputed domain names with fraudulent webpages that impersonate Complainant to deceive individuals into providing personal information have acted in bad faith. Complainant also contends that Respondents’ bad faith is established through their registration of multiple domain names that consist of the well-known ADM mark.

B. Respondents

Respondents did not reply to Complainant’s contentions

6. Preliminary Issue Regarding the Request for Consolidation of Respondents

In this proceeding, 18 disputed domain names are registered under the name of Respondent Terry A Dunlap, Terry Dunlap. The last disputed domain name, <www-adm.info>, is registered under the name of Respondent Tiffany f Freund, Tiffany Freund. Complainant has submitted a request for consolidation of Respondents in the same proceeding.

In determining whether a single consolidated complaint can be brought against multiple respondents, panels typically look at whether (i) the disputed domain names or the corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. See section 4.11.2, WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”).

Based on the evidence submitted, which is not contested by Respondents, the Panel accepts Complainant’s contention that the disputed domain names are subject to common control. The disputed domain names were all registered through the same Registrar between September 10 and 20, 2025, all use an address format that suggests the registrant is based in the State of Oregon, United States, and have been used for the identical login page that features Complainant’s leaf logo and name. Under the circumstances, the Panel finds that consolidation would be fair and equitable to all Parties. Respondents in this proceeding will hereinafter be referred to collectively as “Respondent” in the singular form.

7. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the disputed domain names are 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 names; and
- (iii) the disputed domain names were registered and are 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 names. [WIPO Overview 3.0](#), section 1.7.

Complainant has shown rights in its ADM marks for purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Here, the ADM mark is fully incorporated and clearly visible in each of the disputed domain names. Although the addition of elements such as "www", the letter "l", the numeral "1" and a hyphen in the disputed domain names may bear on the assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the disputed domain names and the ADM mark for 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 a 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 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 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds that Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. 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 names such as those enumerated in the Policy or otherwise

Here, the disputed domain names are clearly based on Complainant's known ADM mark and name. As such, the disputed domain names are more than likely to be mistakenly seen by consumers as related to Complainant and/or its products and services. In all, the disputed domain names effectively impersonate Complainant and thus, on their face, carry a risk of implied affiliation. As such, it is hard to see how Respondent could have any rights or legitimate interests in the disputed domain names. [WIPO Overview 3.0](#) at section 2.5.1.

Moreover, Respondent has used the disputed domain names for what appear to be identical login pages that feature Complainant's leaf logo and name (in a copyright notice). Such pages ask for login credentials for what is likely a nefarious purpose. As such, there can be no basis for Respondent to claim a legitimate interest in or bona fide use of the disputed domain names. To be sure, panels have consistently held that the use of a domain name for illegal activity, here impersonating Complainant to mislead consumers into providing personal account information, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel thus 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 view of Respondent's actions, and failure to appear in this proceeding, it is easy to infer that Respondent's registration and use of the disputed domain names, which prominently play upon Complainant's known ADM mark and name has been done opportunistically and in bad faith for the benefit or profit of Respondent. The disputed domain names essentially impersonate Complainant, were registered well after Complainant had established rights in its ADM mark and name, and have been used very likely as part of a phishing scheme. Such use of the disputed domain names for a potential phishing scheme constitutes bad faith.

[WIPO Overview 3.0](#), section 3.4.

The Panel finds that Complainant has established the third element of the Policy.

8 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 names <adm.directory>, <adml.cloud>, <adml.club>, <adml.rest>, <adm.rest>, <adm1.beauty>, <adm1.cloud>, <adm1.fun>, <adm1.info>, <adm1.mom>, <www-adm.cloud>, <www-adm.club>, <www-adm.info>, <www-adm.monster>, <www-adm.online>, <www-adm.site>, <www-adm1.cyou>, <www-adm1.shop>, and <www-adm1.top> be transferred to Complainant.

/Georges Nahitchevansky/

Georges Nahitchevansky

Sole Panelist

Date: November 10, 2025