

## **ADMINISTRATIVE PANEL DECISION**

Reddit, Inc. v. Registration Private, Domains By Proxy, LLC / Dragan K.  
Case No. D2022-1258

### **1. The Parties**

The Complainant is Reddit, Inc., United States of America (“United States”), internally represented.

The Respondent is Registration Private, Domains By Proxy, LLC, United States / Dragan K., Germany.

### **2. The Domain Name and Registrar**

The disputed domain name <redditavatars.com> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 8, 2022. On April 11, 2022, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 11, 2022, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on April 12, 2022, 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 amendment to the Complaint on April 15, 2022.

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 the Respondent of the Complaint, and the proceedings commenced on April 21, 2022. In accordance with the Rules, paragraph 5, the due date for Response was May 11, 2022. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 13, 2022.

The Center appointed Steven A. Maier as the sole panelist in this matter on May 19, 2022. 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 corporation headquartered in San Francisco, California. It is a social media provider, operating numerous online communities to which its users subscribe.

The Complainant is the owner of various registrations for the trademark REDDIT, including for example United States trademark registration number 5019343 for the word mark REDDIT, registered on August 9, 2016 in International Class 9.

The Complainant operates a website at “www.reddit.com”. The website includes a subpage at “www.reddit.com/avatar” which enables users to choose and customize an avatar to represent their online personality. It also offers the facility at “www.nft.reddit.com” for users to bid for non-fungible tokens (“NFTs”) known as “CryptoSnoos” based on its alien mascot “Snoo”.

The disputed domain name was created on February 12, 2022.

The Complainant provides evidence that the disputed domain name has resolved to a website at “www.redditavatars.com”. The website offers the facility to users to “mint” and to purchase NFTs described as “RedditAvatars”.

#### 5. Parties’ Contentions

##### A. Complainant

The Complainant states that it has used the REDDIT trademark since its launch in 2005 and now operates thousands of online communities including over 13 billion posts and comments. It states that its uses dozens of domain names including the mark REDDIT in countries throughout the world and that it has spent substantial time, money and resources in promoting the REDDIT mark and brand.

The Complainant submits that the disputed domain name is confusingly similar to its REDDIT trademark. It contends that the disputed domain name incorporates that trademark in full, together with a descriptive term, “avatars”, which does nothing to reduce the risk of confusing similarity.

The Complainant further submits that the term “avatar”, as included in the disputed domain name, is descriptive of the Complainant’s own activities, namely, the creation of digital artworks and the conversion of those artworks into NFTs, *i.e.* “minting”.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has never licensed or authorized the Respondent to use its REDDIT trademark, that the Respondent has not been commonly known by that name and that the Respondent is making neither *bona fide* commercial use nor legitimate noncommercial or fair use of the disputed domain name. Instead, the Complainant contends that the Respondent is using the disputed domain name misleadingly to attract Internet users to its website, where it offers similar goods and service to those of the Complainant.

The Complainant submits that the disputed domain name has been registered and is being used in bad faith. The Complainant submits that the disputed domain name is in itself misleading and, further, that the Respondent’s website appropriates copyright images from the Complainant’s website (the Complainant exhibits pages from the respective websites but does not identify the images it claims to have been copied). The Complainant submits that the Respondent’s website fails to disclaim any relationship between it and the Complainant, adding further to the misleading impression that the website may be a legitimate provider of the Complainant’s services. The Complainant contends that, by offering services competitive with the Complainant under the disputed domain name, the Respondent is creating a likelihood of confusion with the Complainant’s trademark as to the origin of the goods or services on the Respondent’s website.

## **B. Respondent**

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

## **6. Discussion and Findings**

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the 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**

The Complainant has established that it has registered trademark rights in the mark REDDIT. The disputed domain name comprises that trademark in full, together with the term "avatars", which does not prevent the Complainant's trademark from being recognizable within the disputed domain name. The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights.

### **B. Rights or Legitimate Interests**

In the view of the Panel, the Complainant's submissions set out above give rise to a *prima facie* case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file any Response in this proceeding and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise. For the reasons set out below, the Panel finds the disputed domain name to be inherently misleading and is not of the view that the Respondent's website to which the disputed domain name resolves represents a *bona fide* offering of goods or services. The Panel therefore finds that the Respondent has no rights or legitimate interests in respect of the disputed domain name.

### **C. Registered and Used in Bad Faith**

The disputed domain name combines the Complainant's trademark REDDIT with the term "avatars", which is descriptive of one of the Complainant's areas of activity. Absent any explanation on the part of the Respondent, the Panel infers that the Respondent was aware of the Complainant's REDDIT trademark and activity in the field of avatars when it registered the disputed domain name and that it did so in order to take unfair commercial advantage of the Complainant's goodwill attaching to that trademark.

The Panel finds the disputed domain name to be inherently misleading, as inevitably suggesting to Internet users that it has some legitimate commercial connection with the Complainant and, in particular, its activities in the field of avatars.

Having reviewed the Respondent's website content as exhibited by the Complainant, the Panel accepts the Complainant's submissions that that website is likely to mislead members of the public into believing it to be owned or operated by, or otherwise commercially affiliated with, the Complainant. The website makes extensive use of the Complainant's REDDIT trademark in connection with its offering of avatars and NFTs, for which there can be no reasonable explanation other than to misrepresent an affiliation with the Complainant. The website includes no disclaimer making clear its lack of any such affiliation.

The Panel finds, therefore, that by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

The Panel finds in the circumstances that the disputed domain name has been registered and is being used in bad faith.

## **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, <redditavatars.com>, be transferred to the Complainant.

*/Steven A. Maier/*

**Steven A. Maier**

Sole Panelist

Date: June 2, 2022