

## **ADMINISTRATIVE PANEL DECISION**

### **Fenix International Limited v. Dang Van**

### **Case No. D2025-1937**

#### **1. The Parties**

The Complainant is Fenix International Limited c/o Walters Law Group, United States of America.

The Respondent is Dang Van, Viet Nam.

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

The disputed domain name <gayonlyfan.com> is registered with Name.com, Inc. (the “Registrar”).

#### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 14, 2025. On May 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 16, 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 (Redacted for Privacy, Domain Protection Services, Inc.) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 19, 2025, 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 May 19, 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 the Respondent of the Complaint, and the proceedings commenced on May 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 9, 2025. The Respondent sent email communications to the Center on May 22 and 23, 2025. On May 26, 2025, the Center suspended the proceedings on the Complainant’s request of May 24, 2025. The proceedings were reinstated on July 3, 2025 and the due date for Response was July 17, 2025. The Respondent sent email communications to the Center on July 3 and 4, 2025. The Respondent did not submit any formal response. Accordingly, the Center notified the Parties of the commencement of the Panel appointment process on July 18, 2025. The Respondent sent email communications to the Center on July 18 and 21, 2025.

The Center appointed Yuri Chumak as the sole panelist in this matter on August 4, 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**

The Complainant, Fenix International Limited, owns and operates the widely known website “www.onlyfans.com”. The Complainant’s platform is a subscription-based social media service that allows users to post and subscribe to audiovisual content. The Complainant has operated this platform for several years and has garnered significant global recognition, including over 300 million registered users as of 2025. The <onlyfans.com> domain name was registered on January 29, 2013, and is the primary platform through which the Complainant provides its services.

The Complainant holds trademark registrations for ONLYFANS in multiple jurisdictions, including the United States, the European Union, the United Kingdom, and through international instruments such as the Madrid Protocol, including the following registrations:

1. European Union Intellectual Property Office Registration No. 017912377
2. United Kingdom Intellectual Property Office Registration No. 00917912377
3. United States Patent and Trademark Office Registration No. 5769267

In addition to its registered rights, the Complainant has developed common law trademark rights in the ONLYFANS mark through use since at least July 4, 2016.

The Complainant has been involved in over 150 previous UDRP proceedings, resulting in the cancellation or transfer of the disputed domain names to the Complainant. Prior UDRP panels have acknowledged the mark as being “internationally well-known amongst the relevant public” (*Fenix International Limited v. WhoisGuard, Inc., WhoisGuard Protected / Marry Mae Cerna*, WIPO Case No. [D2021-0327](#)).

The disputed domain name, <gayonlyfan.com>, was registered on December 6, 2024, via Name.com, Inc, a U.S. based domain registrar. According to the public Whois, the registrant employed a privacy service. At the time relevant to this proceeding, the domain name resolved to a website offering adult entertainment services and later redirected to another commercial adult site.

#### **5. Parties’ Contentions**

##### **A. Complainant**

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

Notably, the Complainant contends that the disputed domain name <gayonlyfan.com> is confusingly similar to the Complainant’s ONLYFANS trademark. The omission of the final “s” and the addition of the descriptive term “gay” do not prevent a finding of confusing similarity and instead increase the likelihood of implied affiliation with the Complainant’s platform.

Moreover, the Complainant contends that the Respondent has no rights or legitimate interests in the domain name. The Complainant has not authorized any use of its marks, and the Respondent is not known by the domain name. The Complainant argues that using the disputed domain name to offer adult entertainment services, including pirated content from OnlyFans users, and subsequently redirecting it to another commercial adult site constitutes neither a bona fide offering of goods or services nor a fair use.

Furthermore, the Complainant contends that the Respondent registered and is using the domain name in bad faith by intentionally targeting the Complainant's well-known mark to divert Internet users for commercial gain. The Complainant relies on the Respondent's use of a privacy service, the offering of pirated content, the redirection to an adult site after receipt of a cease-and-desist letter dated March 11, 2025, and the lack of any reply to that letter as further indicia of bad faith.

The Complainant seeks transfer of the disputed domain name.

## **B. Respondent**

The Respondent did not formally reply to the Complainant's contentions. The Respondent did, however, send a number of brief email communications to the Center, asking whether the disputed domain name could be deleted and acknowledging receipt of correspondence. The Panel has considered these communications but does not treat them as a formal Response under the Rules.

## **6. Discussion and Findings**

### **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 name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Complainant has established registered rights in the mark ONLYFANS through multiple national and international trademark registrations, as well as extensive use in commerce since at least 2016. Prior UDRP panels have recognized the ONLYFANS mark as being well-known and closely associated with the Complainant's subscription-based platform.

The Panel finds the mark is recognizable 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, "gay" 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 disputed domain name <gayonlyfan.com> incorporates a near-verbatim reproduction of the Complainant's mark, omitting only the final "s" in "ONLYFANS" and adding the descriptive qualifier "gay." Minor typographical alterations, such as the omission of a single letter, have been found insufficient to avoid confusing similarity where the dominant element of the mark remains recognizable. See [WIPO Overview 3.0](#), section 1.9.

The Panel finds that "onlyfan" remains recognizably similar to "ONLYFANS," and the addition of "gay," does not dispel the overall impression of association with the Complainant's mark. See [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 the 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 the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the 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 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 finds that 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 within the meaning of paragraph 4(b)(iv) of the Policy.

The Complainant’s ONLYFANS mark is distinctive, widely known in connection with its subscription-based content platform and protected by trademark registrations in numerous jurisdictions. At the time the Respondent registered the disputed domain name <gayonlyfan.com> on December 6, 2024, the Complainant’s mark had long been the subject of extensive press coverage, high-profile enforcement, and prior UDRP decisions recognizing its global reputation. Given the fame of the mark and the Respondent’s choice of domain, the Panel finds it implausible that the Respondent was unaware of the Complainant’s rights. See [WIPO Overview 3.0](#), section 3.2.2.

The disputed domain name incorporates the Complainant’s mark in near entirety, omitting only the plural “s” and adding the descriptive term “gay,” a modification that does not dispel confusion but instead targets a specific segment of the Complainant’s audience. Panels have consistently regarded such minor typographical changes coupled with descriptive additions as classic indicators of typosquatting.

Use also points to bad faith. As shown in evidence provided by the Complainant, the disputed domain name previously resolved to a site offering adult entertainment content, including material pirated from the Complainant’s users, in direct competition with the Complainant. Following the Complainant’s March 11, 2025 cease-and-desist letter, the disputed domain name was redirected to another commercial adult site. This conduct constitutes an intentional attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark as to source, affiliation, or endorsement, within the meaning of paragraph 4(b)(iv). See [WIPO Overview 3.0](#), section 3.1.4.

The Respondent's additional conduct reinforces the inference of bad faith: the use of a privacy/proxy service combined with a failure to respond to the cease-and-desist correspondence and a post-notice change in destination. Panels treat these factors cumulatively as supporting bad faith. See [WIPO Overview 3.0](#), section 3.6.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Given the evidence of unauthorized/pirated content, the Respondent's registration and use are in bad faith under the Policy.

The Panel finds that the 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 <gayonlyfan.com> be transferred to the Complainant.

*/Yuri Chumak/*

**Yuri Chumak**

Sole Panelist

Date: August 8, 2025