

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Helio Jacinto

Case No. D2025-2742

1. The Parties

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

The Respondent is Helio Jacinto, Mozambique.

2. The Domain Name and Registrar

The disputed domain name <afronlyfanz.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 July 11, 2025. On July 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 15, 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 (Registration Private, Domains By Proxy LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 15, 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 July 15, 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 July 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 5, 2025. The Response was filed with the Center on July 18, 2025.

The Center appointed Jeremy Speres as the sole panelist in this matter on August 20, 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 has, since 2016, operated a subscription based social media platform under its ONLYFANS mark at the domain name <onlyfans.com> that allows users to post and subscribe to audio-visual content.

The Complainant has registered rights in the ONLYFANS mark in many jurisdictions, including United Kingdom trade mark registration no. UK00917912377 ONLYFANS (word) in classes 9, 35, 38, 41, and 42, with a registration date of January 9, 2019. The Complainant's mark has been recognized as being well known in numerous prior UDRP cases (e.g., *Fenix International Limited v. Domains By Proxy, LLC / Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2020-3447](#)).

The disputed domain name was registered on January 11, 2025, and currently resolves to a user registration and sign-in page. When the user clicks the user registration link, they are directed to a sign-up page indicating that the website allows users to “[s]ell exclusive content and earn money with subscriptions” and “[e]njoy exclusive content from your favorite creators.”

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 was registered and has been used in bad faith in order to take advantage of confusion with the Complainant's well-known mark for the Respondent's commercial gain.

B. Respondent

The Respondent contends that their registration and use of the disputed domain name constitutes fair use in that it was registered “with the aim of creating a local African platform that celebrates Afrocentric content and creators, with no connection to or intent to replicate the business model of OnlyFans.” The Respondent did not provide any evidence supporting the contentions in the Response.

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 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. To the extent that the Complainant's mark is misspelled within the disputed domain name – a “z” in the disputed domain name instead of the “s” in the mark – it is a common misspelling of the mark, which does not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.9.

Although the addition of other terms, here “afri”, 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 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.

For the reasons discussed in relation to bad faith below, the Respondent’s claims of fair use, which are not supported by any evidence, are gainsaid by the evidence in the record showing that the Respondent’s intentions were more likely to have been to take advantage of confusion with the Complainant’s mark. The Respondent’s registration and use of the disputed domain name in these circumstances do not represent a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy and do not confer rights or legitimate interests. *Sistema de Ensino Poliedro Vestibulares Ltda., Editora Poliedro Ltda. v. Anonymize, Inc. / STANLEY PACE*, WIPO Case No. [D2022-1981](#).

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.

For the following reasons, the Panel finds that it is more likely than not that the Respondent registered and has used the disputed domain name to take advantage of confusion with the Complainant’s mark for the Respondent’s commercial gain, falling squarely within paragraph 4(b)(iv) of the Policy.

UDRP panels have consistently found that registration of a domain name that is identical to a famous or well-known trademark by an unaffiliated entity, as in this case, can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The Respondent does not deny prior knowledge of the Complainant’s well-known mark in their Response.

The disputed domain name's website would appear to compete with the Complainant directly, as set out in the Factual Background section above. This shows a familiarity by the Respondent with the Complainant's industry in circumstances where the Complainant's mark is well known within that industry. It is thus quite unlikely that the Respondent was not aware of the Complainant and the risk of confusion. The disputed domain name itself suggests that it is the African presence of the Complainant, and in light of the mark's repute, there is no conceivable good faith use of the disputed domain name that would not be likely to lead to confusion with the Complainant's mark. This all points to bad faith targeting, on balance of probabilities. [WIPO Overview 3.0](#), section 3.1.4.

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 <afronlyfanz.com> be transferred to the Complainant.

/Jeremy Speres/

Jeremy Speres

Sole Panelist

Date: August 28, 2025