

ADMINISTRATIVE PANEL DECISION

Beggars Group Limited v. Lo Fang (Matthew Jordan Hemerlein)
Case No. DAI2025-0046

1. The Parties

The Complainant is Beggars Group Limited, United Kingdom, represented by Sipara, United Kingdom.

The Respondent is Lo Fang (Matthew Jordan Hemerlein), Portugal, self-represented.

2. The Domain Name and Registrar

The disputed domain name <beggars.ai> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 17, 2025. On September 17, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 17, 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 (“Privacy Service Provided by Withheld for Privacy ehf”) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 18, 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 amended Complaint on September 18, 2025.

The Center verified that 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 the Respondent of the Complaint, and the proceedings commenced on September 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 13, 2025. On September 19, 2025, the Respondent requested the automatic four calendar day extension for response under paragraph 5(b) of the Rules. The Center granted this request on the same day, and the due date for Response was changed to October 13, 2025. On September 19 and 23, 2025 the Respondent sent informal messages to the Center. The Response was filed with the Center on October 13, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on October 17, 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 is in the music publishing business, and operates the independent music labels 4AD, Matador, Tough Trade Records, XL Recordings and Young. Its formation began in 1973 as a record shop called “Beggars Banquet” in London, the United Kingdom, and the business was transformed into a record label in 1977.

The Complainant is the owner of the following trademark registrations for BEGGARS (the “BEGGARS trademark”):

- the Chinese trademark  with registration No. 11468695, registered on February 13, 2014, for services in International Class 41;
- the Chinese trademark  with registration No. 11468697, registered on August 7, 2014, for goods in International Class 9;
- the International trademark BEGGARS GROUP with registration No. 868592, registered on January 20, 2005, for goods and services in International Classes 9, 35, and 41; and
- the European Union trademark BEGGARS GROUP with registration No. 004100749, registered on January 18, 2006, for goods and services in International Classes 9, and 41.

The Complainant operates its official websites at the domain names <beggars.com> and <beggarsmusic.com>.

The disputed domain name was registered on April 9, 2025. It currently resolves to a website that contains critical commentary of the Complainant and a disclaimer that it is not affiliated with the Complainant or any of its labels. At the time of filing of the Complaint, such disclaimer was not apparent and the website at the disputed domain name displayed the text:

“Beggars.AI

We help artists at 4AD, XL, Matador, Rough Trade, and Young Turks protect and reclaim ownership of their creative work. Our AI Detection and Intelligence gives you the insight, to have the leverage you need.

Ready to return control?

Contact us:

[...]¹

AI-Powered Artist Rights Service Created by [YS3.Agency](#)²

Also announcing:

“Blue Film Returns” – First Single #88 Drops 08/08/25”

The website also displayed excerpts of email correspondence between the Respondent and representatives of the Complainant.

¹ Email addresses have been redacted for privacy protection purposes.

² This is a hyperlink.

The Respondent is an independent recording artist and composer. He previously had contractual relations with the Complainant's label 4AD. His official website is located at the domain name <lo-fang.com>.

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.

The Complainant states that the disputed domain name is identical or confusingly similar to its BEGGARS trademark, because it features the trademark.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, because it is not commonly known under it and is not making a legitimate noncommercial or fair use of it. The Complainant points out that it is not apparent from the disputed domain name itself or from the homepage of the associated website that the same is a criticism website, and maintains that the right to criticize does not extend to the registration and use of a domain name that is identical or confusingly similar to the Complainant's trademark.

According to the Complainant, the Respondent uses the disputed domain name to falsely represent a connection with the Complainant in order to attract traffic to the homepage of the associated website, which advertises a service for artists under the management of the Complainant to reclaim ownership of their creative works through an AI tool. The Complainant submits that this represents a commercial exploitation of the Complainant's BEGGARS trademark as a vehicle to advertise the Respondent's own goods and services.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. It submits that the incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be an indication of bad faith. According to it, the disputed domain name is being used to publish unsubstantiated and unclear allegations against the Complainant with the purpose to disrupt its business.

The Complainant further submits that by offering a service at the homepage of his website, the Respondent uses the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users, by creating a likelihood of confusion with the Complainant's BEGGARS trademark as to the affiliation or endorsement of the Respondent's website.

The Complainant also notes that the Respondent has recently launched new content called "Blue Film", and this content is featured on the Respondent's website with the notice "Blue Film Returns First single #88 drops 08/08/25". According to the Complainant, there is no logic in this content being on the homepage of the Respondent's website, as it has nothing to do with the Complainant and has no place on a Beggars-branded website. The Complainant maintains that the creation of the Respondent's website is part of a marketing campaign to promote his "Blue Film Returns" title and attract the interest of Internet users to this new content.

B. Respondent

The Respondent does not contest that the disputed domain name is identical or confusingly similar to the Complainant's BEGGARS trademark. The Respondent adds that the term "beggars" is a common English word with long-standing cultural use and that the Complainant's own business name traces to Beggars Banquet, the title of the Rolling Stones album issued in 1968.

The Respondent asserts that he has a legitimate interest in the disputed domain name under paragraph 4(c)(iii) of the Policy, as he is using it for legitimate noncommercial purposes and criticism, without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark.

The Respondent explains that, prior to the registration of the disputed domain name and creation of the website, he had issues with the Complainant regarding his artistic freedom and censorship of his lyrics, royalty adjustment and other matters, some of which was documented on the website at the disputed domain name.

The Respondent submits that the disputed domain name was lawfully registered and is used as part of a noncommercial artistic and documentary project exploring the Respondent's own documented negative experiences with the Complainant, and that the content on his website is noncommercial, clearly disclaimed, and expressly critical, functioning as a work of public commentary and artistic expression.

The disputed domain name was registered to serve as a platform for documentary style criticism of the Complainant and expression of the Respondent's free speech right. The site at the disputed domain name reflects ongoing commentary on the Respondent's negative experiences with the Complainant and broader industry conditions surrounding artists' exploitation. The Respondent notes that the website at the disputed domain name sells nothing, carries no advertisements, and does not promote or link to monetized platforms. The Respondent adds that the Complaint refers to a previous version of the website at the disputed domain name, which was not fully completed and was only an outline.

The Respondent points out that the website at the disputed domain name includes visible disclaimers noting that it is not affiliated with the Complainant.

The Respondent submits that panels acting under the Policy have emphasized that the impersonation test requires a holistic assessment of both domain name composition and actual website content, which includes prominent disclaimers, noncommercial nature, and the expressive context of the website, and not just the domain string itself. The Respondent refers in this regard to section 2.5.2 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)") and to the prior decisions in *Scrum Alliance, LLC v. Contact Privacy Inc. Customer 1247644697 / Matthew Barcomb*, WIPO Case No. [D2021-2932](#), and in *Watch Tower Bible and Tract Society of Pennsylvania v. Vincent Moore*, WIPO Case No. [D2023-2034](#).

The Respondent maintains that he has not made any commercial exploitation of the disputed domain name, as it has not been offered for sale and produces no revenue, that the website contains no misleading content, as its ownership and purpose are public and transparent, since the website makes it clear that this is a criticism project unrelated to the Complainant.

The Respondent asserts that he is not a cybersquatter, that he did not register the disputed domain name to take unfair commercial advantage of the Complainant's trademark, and that he never used the disputed domain name for any commercial purpose.

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of the BEGGARS trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The fact that "beggars" is a common English word and that the Complainant's trade name can be traced to the title of a Rolling Stones album does not change this finding, as these circumstances have not prevented the Complainant from obtaining and maintaining its trademark registrations.

The Panel finds the BEGGARS trademark is recognizable within the disputed domain name. Its "beggars" second-level part is identical to the word element of the Complainant's combined trademark BEGGARS and to the dominating "beggars" element of the Complainant's word trademark BEGGARS GROUP. Accordingly,

the disputed domain name is identical to the BEGGARS trademark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.10.

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.

The Respondent asserts that he has a legitimate interest in the disputed domain name under paragraph 4(c)(iii) of the Policy, as he is using it for legitimate noncommercial purposes, free speech and criticism, without intent for commercial gain to misleadingly divert consumers or to tarnish the Complainant's trademark.

As discussed in section 2.5.1 of the [WIPO Overview 3.0](#), UDRP panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation. Even where a domain name consists of a trademark plus an additional term (at the second or Top-Level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner.

Here, the disputed domain name incorporates the word element of the Complainant's combined trademark BEGGARS and the dominating element of its BEGGARS GROUP trademark and of its trade name, without including any other elements that may suggest that it is related to a criticism website. The disputed domain name is also confusingly similar to the Complainant's domain name <beggars.com>. Its composition thus impersonates the Complainant or suggests sponsorship or endorsement by it. The Respondent does not explain why it chose a domain name that includes only the distinctive and dominating element of the Complainant's name, trademark and domain name, without including any elements suggesting free speech or criticism of the Complainant.

As discussed in section 2.6.1 of the [WIPO Overview 3.0](#), to support fair use under UDRP paragraph 4(c)(iii), the respondent's criticism must be genuine and noncommercial; in a number of UDRP decisions where a respondent argues that its domain name is being used for free speech purposes, the panel has found this to be primarily a pretext for cybersquatting, commercial activity, or tarnishment.

The Respondent maintains that the disputed domain name is being used as part of a noncommercial artistic and documentary project exploring the Respondent's own negative experiences with the Complainant, and that the content on his website is noncommercial, clearly disclaimed, and expressly critical, functioning as a work of public commentary and artistic expression. The Respondent maintains that the website at the disputed domain name sells nothing, carries no advertisements, and does not promote or link to monetized platforms.

The evidence in the case does not support the Respondent's allegations. At the time of filing of the Complaint, the website at the disputed domain name advertised on its homepage the AI-powered detection and intelligence artist rights services provided by an agency related to the Respondent (evident from the email address used by him in this proceeding). The homepage of the website also featured the new title "Blue Film Returns", which was recently released by the Respondent independently of the Complainant. The content criticizing the Complainant was not immediately viewable, as it was placed only on an internal page of the website and was secondary to the main content on the homepage. Neither the agency, nor the new title released by the Respondent have any connection to the disputed domain name or to the Complainant. The Respondent states that this was a previous version of the website at the disputed domain name, which was not fully completed and was only an outline. This statement confirms that the website had such content at the time of filing of the Complaint but does not explain why this content was placed there in first place. Only when he received notice of the dispute, the Respondent removed the advertising of its AI services agency and of its "Blue Film Returns" title from the website, and placed a disclaimer on it.

The previous content of his website and the timing of its change disprove the Respondent's allegations that the disputed domain name is being used for legitimate noncommercial purposes and criticism only, and that the content on his website is noncommercial and clearly disclaimed. Although the Panel notes the evidence provided by the Respondent regarding his disagreements with the Complainant over artistic freedom, royalty adjustment and other matters, it appears as more likely than not that by registering the disputed domain name and activating his website with its original content and homepage, the Respondent has rather attempted to attract traffic and advertise his own products and services for commercial gain, using the secondary-placed criticising content only as a pretext. It also appears as more likely than not that by removing from his website the advertising of his AI services agency and of his newly-released title and placing a disclaimer, the Respondent attempted to create an appearance that he is using the disputed domain name only for noncommercial criticizing purposes, to serve as a defence under paragraph 4(c)(iii) of the Policy. Such conduct does not support a finding that the Respondent has rights or legitimate interests in the disputed domain name.

The two decisions relied upon by the Respondent, i.e., *Scrum Alliance, LLC v. Contact Privacy Inc. Customer 1247644697 / Matthew Barcomb*, WIPO Case No. [D2021-2932](#), and *Watch Tower Bible and Tract Society of Pennsylvania v. Vincent Moore*, WIPO Case No. [D2023-2034](#), are not relevant to the present dispute, as the first of these decisions discusses a pure parody website, while in the second decision the respective website was evidently critical of the respective complainant. As discussed above, the content on the Respondent's website prior to the notice of dispute was very different from what is described in these two decisions.

Considering the above, the Panel finds that 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.

There is no dispute between the Parties that they had a contractual relationship in the past, and that the Respondent was aware of the Complainant and its BEGGARS trademark when registering the disputed domain name. The disputed domain name incorporates the word element of the Complainant's BEGGARS trademark and the dominating element of its BEGGARS GROUP trademark, trade name and domain name, and includes no element suggesting criticism.

As discussed in the section on rights and legitimate interests, the Respondent's allegation that he has registered and is using the disputed domain name for legitimate noncommercial free speech and criticism is contradicted by the evidence and by the Respondent's own conduct prior to and following the receipt of a notice of the present dispute, which support a very different conclusion - that the Respondent has targeted the Complainant and its BEGGARS trademark with the registration and use of the disputed domain name in an attempt to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's BEGGARS trademark as to the affiliation or endorsement by the Complainant of the disputed domain name or of the services and content that were featured on the homepage of the associated website prior to the notice of the dispute, and that the changes made by the Respondent to his website following the receipt of the notice of the dispute were an attempt to create an appearance of a legitimate noncommercial use of the disputed domain name only for criticism of the Complainant. The Respondent's overall conduct therefore supports a finding of bad faith registration and use of the disputed domain name under paragraph 4(b)(iv) of the Policy.

The Panel therefore 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 <beggars.ai> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: October 27, 2025