

ADMINISTRATIVE Panel DECISION

No Fear Services, LLC v. Bill Murray, Pexium
Case No. D2026-0170

1. The Parties

Complainant is No Fear Services, LLC, United States of America (“United States”), represented by Law Office of Elizabeth T Russell LLC, United States.

Respondent is Bill Murray, Pexium, United States, self-represented.

2. The Domain Name and Registrar

The Disputed Domain Name <nofeardentistry.com> is registered with Register.com (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 15, 2026. On January 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On January 16, 2026, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 Respondent of the Complaint, and the proceedings commenced on January 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 10, 2026. Respondent did not submit a timely response. Accordingly, the Center notified Respondent’s default on February 11, 2026. The Center received an email communication from Respondent on February 12, 2026. Respondent filed a Response on February 15, 2026.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on February 13, 2026. 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.

Respondent's Late Response

Respondent did not file a response to the UDRP Complaint by the February 10, 2026, due date. On February 12, 2026, Respondent contacted the Center and stated that he did not receive notice of the Complaint until after the due date. On February 15, 2026, Respondent submitted a formal certified Response to the Complaint.

Although the Panel notes that the Center sent the Complaint, including annexes, to all contact details provided by the Registrar for the registrant of the disputed domain name, and thus, in accordance with paragraph 2(a) of the Rules, has discharged its responsibilities in this regard, in view of Respondent's representation that he did not receive timely notice followed by its diligent submission of a response within two days, the Panel exercises its discretion to consider the late response without prejudice.

4. Factual Background

Complainant, a dental practice with offices in Madison and Sun Prairie, Wisconsin,¹ asserts it started using the trademark NO FEAR DENTISTRY (hereinafter the "Mark"), in 2005 through its predecessors in interest. Complainant owns United States Trademark Registration No. 4,583,812 (filed December 18, 2013 and registered August 12, 2014). According to United States Patent and Trademark Office records, in support of the application to register the Mark, Complainant submitted a screen shot of its website, which resolved from the domain name <madisonnofeardentistry.com>, registered in 2005. Complainant used this domain name to promote its services until 2022,² when it began using it to redirect to a new domain name, <nofeardentistrywi.com>, which it registered in August 2022.³ Complainant continues some use of <madisonnofeardentistry.com> as an email address.

Respondent offers services relating to search engine marketing and optimization. He registered the Disputed Domain Name on July 23, 2014, for its client Hardin Dental, a dental practice in Cincinnati, Ohio, which is about 450 miles from Madison. From 2014 to 2018, Respondent licensed the Disputed Domain Name to Hardin Dental, which redirected the Disputed Domain Name to Hardin's website at "www.hardindental.com". In 2018, the Disputed Domain Name stopped redirecting to "www.hardindental.com" (or any other website) due to a technical error that Respondent did not discover prior to the commencement of these proceedings.

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 Name.

Notably, Complainant contends that it has patients who have used zip codes for Cincinnati, Ohio, where Respondent's licensee Hardin Dental is located; that Respondent did not respond to email messages asking Respondent to sell or transfer the Disputed Domain Name; and that Respondent has not used the Disputed Domain Name for more than seven years. Complainant contends that, "Respondent's initial use of the Domain for a competitor of Respondent; combined with the constructive notice stemming from Complainant's United States trademark registration pre-dating such use; together with a period of non-use

¹ Sun Prairie is a city about 30 miles from Madison Wisconsin.

² The Complaint does not mention the domain name <madisonnofeardentistry.com> and instead only acknowledges the several domain names it owns that do not include "Madison". These include two domain names—<nofeardentistry.biz> and <nofeardentistry.net>—registered in 2012. In 2022-23, Complainant registered other domain names—<nofeardentistrywi.net>; <nofeardentistry.dental>; <nofeardentistry.org>; <nofeardentistry.info>; <no-fear-dentistry.com>. None of these domain names resolve to an active website.

³ Complainant registered several other similar domain names at about the same time.

exceeding seven years; combined with Respondent's failure to reply to Complainant's good faith attempt to negotiate a transfer of the Domain; all, in totality, support a finding of bad faith registration".

B. Respondent

Respondent contends that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the Disputed Domain Name.

Notably, Respondent contends that he registered the Disputed Domain Name in 2014 for its client and licensee Hardin Dental in Cincinnati, Ohio, which redirected the Disputed Domain Name to Hardin's website at <hardindental.com>. Respondent explains that the non-use of the Disputed Domain Name since 2018 was the result of a technical error.

Respondent asserts that there is no geographic overlap or direct competition between its licensee's dental practice in Cincinnati and Complainant's practice in Madison.

Respondent contends that there is no evidence that Respondent knew of Complainant or targeted Complainant when he registered the Disputed Domain Name in 2014.

Respondent asserts that Complainant sent three email messages asking Respondent to sell the Disputed Domain Name but observes that none of these messages asserted infringement or bad faith. Respondent acknowledges that he did not respond to these messages.

Respondent asks for a finding of Reverse Domain Name Hijacking, contending that Complainant filed the complaint in an effort to obtain the Disputed Domain Name after Complainant failed to persuade Respondent to sell it.

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 Complainant's trademark and the Disputed Domain Name. WIPO Overview of WIPO Panel Views on Select UDRP Questions, ("[WIPO Overview 3.1](#)"), section 1.7.

Complainant has shown rights in respect of a trademark or service Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the Mark is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is identical to the Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

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 Respondent may demonstrate rights or legitimate interests in a Disputed Domain Name.

The Panel finds that, before notice to Respondent of the dispute, Respondent's licensee used the Disputed Domain Name in connection with a bona fide offering of services. [WIPO Overview 3.1](#), section 2.2. From 2014 to 2018, long before notice of this dispute, Respondent's licensee Hardin Dental used the Disputed Domain Name in connection with dental services.

When Complainant argues in its Complaint that Respondent has no rights or legitimate interest in the Disputed Domain Name, Complainant acknowledges the licensed use by Hardin Dental, but also makes a series of factual statements about the corporate status of Respondent, the owner of the Disputed Domain Name, which registered the Disputed Domain Name at the behest of its client. Complainant is not clear but seems to argue that Hardin Dental's use was not bona fide within the meaning of Policy paragraph 4(c)(i) implying that such would infringe its registered trademark rights. Whether directed at Respondent or its client, the Panel observes that a domain name owner that authorizes another by license to use a domain name is responsible for such use and arguably therefore may invoke a claim to a right or legitimate interest under Policy paragraph 4(c)(i).

The Panel finds the second element of the Policy has not been established.

C. Registered and Used in Bad Faith

The evidence in the case file as presented does not indicate that Respondent's aim in registering the Disputed Domain Name was to profit from or exploit Complainant's trademark. The Panel finds that Complainant has not proved by a preponderance of the evidence that Respondent was aware of Complainant or the Mark when he registered the Disputed Domain Name on July 23, 2014.

In 2014, Complainant provided dental services out of its office in Madison, Wisconsin.⁴ Complainant offers no evidence that during that time Complainant was known outside the Madison area. Its website at the domain name <madisonnofeardentistry.com> appears to be solely directed at the local market. Given this, the Panel is not persuaded that Respondent was probably aware of Complainant when he registered the Disputed Domain Name in 2014, much less that he deliberately chose the Disputed Domain Name to target Complainant's Mark.

Awareness can sometimes be inferred where Complainant's Mark is so highly distinctive that awareness of Complainant's Mark is the most probable explanation for the similarity with a challenged domain name, but that is not the case here. "No fear" is a commonly used phrase "indicating absence of fear or anxiety regarding a situation, often implying bravery". See "<https://grammardiary.com/no-fear-meaning-definition-and-usage-examples/>" accessed February 27, 2026, and "dentistry" is a common descriptive term, disclaimed in Complainant's Mark. It is therefore plausible that Respondent adopted the phrase as a domain name not to target Complainant's Mark, but rather for its descriptive connotations. Complainant has merely sought to rely on constructive notice (even stating that "all providers of dentist services are competitors of Complainant.") but has not proved that targeting of Complainant's Mark is the more probable explanation for Respondent's registration of the Disputed Domain Name.

Complainant acknowledges that constructive notice will not alone support a finding of bad faith and therefore argues that "respondent's initial use of the Domain for a competitor of Respondent; combined with the constructive notice stemming from Complainant's United States trademark registration pre-dating such use; together with a period of non-use exceeding seven years; combined with Respondent's failure to reply to Complainant's good faith attempt to negotiate a transfer of the Domain; all, in totality, support a finding of bad faith registration".

The Panel is not persuaded that Respondent's "initial use with a competitor" is evidence of bad faith. The fact that Respondent's licensee was a dentist is not relevant to the fundamental issue—whether Respondent was aware of Complainant's rights when he registered the Disputed Domain Name in 2014. It certainly cannot be presumed that all dentists knew of Complainant's rights and Complainant has not proved that it is likely that Respondent or its licensee was aware of Complainant's rights. When Respondent registered the Disputed Domain Name in 2014, Complainant's practice was (and seems to still be) in Madison, Wisconsin and Respondent's licensee Hardin Dental was in Cincinnati Ohio, about 450 miles away. Complainant anticipates the need to prove that in 2014 a dentist in Cincinnati probably knew of its rights in the Mark and therefore argues that "Complainant actively serves patients from many states,

⁴ Complainant eventually opened another office in Sun Prairie, Wisconsin, about 30 miles from Madison.

including those from zip codes in and surrounding the dental practice advertised in the Hardin Site (zip code 45040)...”, but Complainant’s evidence falls short. The referenced documentary evidence is dated 2022 and therefore fails to prove that Complainant’s reputation extended beyond Madison in 2014. The document bears the title “PRACTICE STATISTICS Madison No Fear Dentistry” but Complainant does not offer any foundational explanation of who or how this document was created. Even if the Panel skips over this deficiency for argument’s sake, the document does not show any patients in zip code 45040, the suburb of Cincinnati where Complainant says Hardin Dental is located. Indeed, the document (at best) shows only two patients in the entire state of Ohio.⁵ The Panel finds that Complainant has not offered sufficient evidence that Respondent was probably aware of Complainant’s Mark or that he acted intentionally to cause confusion when he registered the Disputed Domain Name in 2014.

Complainant also argues that “a period of non-use exceeding seven years” supports a finding of bad faith. Non-use alone is not evidence of bad faith in the absence of other factors. [WIPO Overview 3.1](#), section 3.3. None of the relevant factors are found here. Complainant has not offered evidence that the Mark is highly distinctive or well known; Respondent submitted a response and offered evidence of Hardin Dental’s good faith use; Respondent did not attempt to conceal its identity or use false contact information.

Complainant argues that Respondent’s failure to respond to its email messages asking Respondent to sell the Disputed Domain Name is evidence of bad faith. There is no legal basis for this contention. There are many good faith reasons why the owner of a domain name might ignore an email that asks the owner to consider selling a domain name.

The Panel finds the third element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.1](#), section 4.16.

The Panel finds that the Complaint was not brought in bad faith. Although the Panel was not persuaded by Complainant’s arguments, the Panel finds that Complainant brought the complaint in a good faith effort to enforce its rights.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: March 11, 2026

⁵ To evaluate Complainant’s evidence, the Panel determined based on its own research that zip codes in Ohio fall within the range from 43001 through 45999. See “<https://www.unitedstateszipcodes.org/oh/>” accessed February 25, 2026. Complainant’s document listing patient zip codes includes only two within the Ohio range—45371 and 45237 (Cincinnati).