

ADMINISTRATIVE PANEL DECISION

TIME USA, LLC v. Chidipeters Okorie, TIME AFRICA MAGAZINE
Case No. D2026-0880

1. The Parties

The Complainant is TIME USA, LLC, United States of America ("United States"), represented by Danielson Legal LLC, United States.

The Respondent is Chidipeters Okorie, TIME AFRICA MAGAZINE, Nigeria, represented by I & A Solicitors, Nigeria.

2. The Domain Name and Registrar

The disputed domain name <timeafricamagazine.com> is registered with OwnRegistrar, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 27, 2026. On February 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 28, 2026, the Registrar transmitted by email to the Center its verification response confirming that the 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 the Respondent of the Complaint, and the proceedings commenced on March 4, 2026. In accordance with the Rules, paragraph 5 and following an extension request from the Respondent, the due date for Response was March 28, 2026. The Response was filed with the Center on March 28, 2026.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on April 9, 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.

4. Factual Background

The Complainant is the publisher of the TIME magazine, the first issue of which was published in the United States on March 3, 1923. According to the Complaint, it now reaches more than 100 million people around the world.

The Complainant's principal website is located at "www.time.com". The website generates millions of page views per year. For example, in 2025 the website was viewed 233,569,007 times, by 218,451,366 distinct users. Of these, a significant number of visitors were located in African countries. According to the Complaint, in 2025 there were 3,293,361 visits by 2,787,776 distinct users. A substantial number of these were from Nigeria. For example, by the Panel's calculation from the website analytics included in Annex 12, there were over 259,000 visits by about 231,000 unique users from Lagos alone. There were many visits by users from what appear to be other regions in Nigeria.

The Complainant also holds numerous other domain names which feature its trademark and a geographical signifier:

"timeafrica.com; time100africa.com; timemagazine.com; timeurope.com; timetaiwan.com; timesouthpacific.com; timeplus-korea.com; timepacific.com; timenewsmagazine.com; timemexico.mx; timemagazineuk.com timelatinamerica.com; timejapan.com; timefrance.fr; timeforkidskorea.com; timeeuropa.com; timecanadamagazine.com; timebrazil.com."

The Panel notes that <timeafrica.com> (discussed further below) redirects to "www.africa.time.com". Some other domain names redirect to the "www.time.com" website. Other domain names do not appear to resolve to active webpages.

The Complaint includes evidence that the Complainant owns numerous registered trademarks around the world. For example:

- (1) United States Registered Trademark No 2,154,831, TIME, which was registered in the Principal Register on May 5, 1998, in respect of providing interactive online magazine in the field of news and general interest information and associated services in International Class 42;
- (2) United States Registered Trademark No 3,223,154, TIME, which was registered in the principal register on March 27, 2007, in respect of general feature magazines in international class 16 and claiming a first use in commerce on December 31, 1935;
- (3) Nigerian Registered Trademark No 16859, TIME, which was registered with effect from October 19, 1965, with respect to motion picture films, photographic films, television films, sound and picture recording and reproducing media such as records, tapes, wires and other media;
- (4) Nigerian Registered Trademark No 16860, TIME, which was also registered with effect from October 19, 1965, with respect to printed matter, newspapers, periodicals, books, photographs, cards, maps, charts, and related items.

One of the Complainant's earliest trademarks is United States Registered Trademark No 629122, which has been registered in the principal register since June 19, 1956, in respect of magazines and claims a first use in commerce of July 26, 1954. The trademark is for the word TIME in block capitals inside a rectangular border, with the border being coloured red.

According to the Whois Report, the disputed domain name was registered on November 9, 2021.

Since at least January 2024 the disputed domain name has resolved to a website presenting news and current affairs stories. The website features a number of red bands, ribbons or borders. Immediately beneath the top red border is a thick black band which includes the logo:



The black band also includes links to sections such as: "Home", "Magazine", "News", "World", "News", "Politics" and the like.

On January 4, 2024, the footer of the website included a copyright notice as follows:

"© 2023 TIME AFRICA MAGAZINE. All right reserved. TIME AFRICA is a trademark of Times Associates, registered in the U.S, & Nigeria."

The Respondent had registered a business enterprise in Nigeria under the name Times Associates on March 12, 2018. At some point before the filing of the Complaint, this registration became inactive.

On February 5, 2025, the Respondent incorporated a company in Nigeria, Timeafrica Magazine Ltd.

Notwithstanding this, as late as August 3, 2025, the footer on the Respondent's website identified "Time Africa is a trademark of Times Associates, registered in the US, & Nigeria".

On August 27, 2025, the Complainant's website at "www.time.com" announced that the Complainant was launching in collaboration with Global Venture Partners a new Regional Editorial Expansion "Time Africa". Following this, the Complainant's domain name timeafrica.com now redirects to the website at "www.africa.time.com".

On September 2, 2025, the Complainant's representatives sent a cease and desist letter to the Respondent. A follow-up letter was sent on September 10, 2025.

By October 8, 2025, the footer in the Respondent's website changed to read "© 2025 TimeAfrica magazine - all rights reserved. TimeAfrica Magazine Ltd is published by Times Associates registered in Nigeria".

On October 11, 2025, the Respondent emailed a response to the Complainant's cease and desist letters. In that response, the Respondent stated that TIME AFRICA MAGAZINE is an independent media entity owned and operated by Times Associates and denied infringement of the Complainant's trademark rights on the basis that TIME AFRICA is a separate and distinguishable trademark and not identical to the Complainant's registered trademark for TIME.

5. Discussion and Findings

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of a disputed domain name, the Complainant must demonstrate each of the following:

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

Paragraph 15(a) of the Rules directs the Panel to decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable.

A. Identical or Confusingly Similar

The first element that the Complainant must establish is that the disputed domain name is identical with, or confusingly similar to, the Complainant's trademark rights.

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 Select UDRP Questions, ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has proven ownership of registered trademarks for TIME.

The comparison of the disputed domain name to the Complainant's trademark simply requires a visual and aural comparison of the disputed domain name to the proven trademarks. This test is narrower than and thus different to the question of "likelihood of confusion" under trademark law. Therefore, questions such as the scope of the trademark rights, the geographical location of the respective parties, the date they were acquired and other considerations that may be relevant to an assessment of infringement under trademark law are not relevant at this stage. Such matters, if relevant, may fall for consideration under the other elements of the Policy. See e.g., [WIPO Overview 3.1](#), section 1.7.

In undertaking that comparison, it is permissible in the present circumstances to disregard the generic Top Level Domain ("gTLD") component as a functional aspect of the domain name system. [WIPO Overview 3.1](#), section 1.11.

Disregarding the ".com" gTLD, the disputed domain name consists of the Complainant's registered trademark and the terms "Africa" and "magazine". As this requirement under the Policy is essentially a standing requirement, the addition of these terms does not preclude a finding of confusing similarity. See e.g., [WIPO Overview 3.1](#), section 1.8. Apart from anything else, the Complainant's trademark remains visually and aurally recognisable within the disputed domain name.

Accordingly, the Panel finds that the Complainant has established that the disputed domain name is confusingly similar to the Complainant's trademark and the requirement under the first limb of the Policy is satisfied.

B. Rights or Legitimate Interests

The second requirement the Complainant must prove is that the Respondent has no rights or legitimate interests in the disputed domain name.

Paragraph 4(c) of the Policy provides that the following circumstances can be situations in which the Respondent has rights or legitimate interests in a disputed domain name:

- (i) before any notice to [the Respondent] of the dispute, [the Respondent's] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or
- (ii) [the Respondent] (as an individual, business, or other organization) has been commonly known by the [disputed] domain name, even if [the Respondent] has acquired no trademark or service mark rights; or

(iii) [the Respondent] is making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

These are illustrative only and are not an exhaustive listing of the situations in which a respondent can show rights or legitimate interests in a domain name.

While 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 often impossible 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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

There is no dispute between the Parties that:

- (1) The Respondent registered the disputed domain names after the Complainant began using the trademark and also after the Complainant had registered its trademark;
- (2) The Respondent is not affiliated with the Complainant;
- (3) The Complainant has not otherwise authorised the Respondent to use the disputed domain name.

The Respondent, or one of the entities he controls, is offering news and current affairs stories from the website to which the disputed domain name resolves.¹ That does not bring the case within paragraph 4(c)(i) of the Policy, however, as use of a domain name in infringement of the Complainant’s trademark does not qualify as a good faith offering. Contrary to the Respondent’s contentions, the addition of “Africa” and “magazine” to the Complainant’s trademark TIME does not clearly distinguish the disputed domain name from the Complainant’s trademark.

The Respondent points out, however, that the disputed domain name was adopted by the Respondent under his registered business enterprise name, Times Associates. Following a restructure (according to the Response), Time Magazine Ltd took over publishing the Time Africa Magazine and the Respondent is one of the directors of and shareholders in that company.

First, so far as the evidence before the Panel goes, it does not appear that registration of either a business name or company name confers proprietary rights in the name under Nigerian law. See for example sections 814 – 822 of the Companies and Allied Matters Act 2020 (Nigeria). Section 30(4) of the same Act does empower the Commission to require a company to change its name if the Commission discovers the name conflicts with an existing trade mark or business name registered in Nigeria before the registration of the company. Section 31 also empowers the Commission before a certificate of incorporation is issued to withdraw or cancel a name reserved for a company if the Commission discovers that the name is identical to the name of a company that is already registered, or so nearly resembles such a name as to be likely to deceive. By section 41, the Commission may refuse to register a company if in the Commission’s opinion the company’s name conflicts, or is likely to conflict, with an existing company, trade mark or business name registered in Nigeria. Section 852(1)(d) also prohibits the registration of a business name or company name which conflicts with an existing trademark registered in Nigeria.

There is no evidence before the Panel about whether the Commission undertakes any and, if so, what searches before registering a name. So the fact of registration of the business and later the company names does not establish some sort of official determination the Respondent’s names do not conflict with the

¹ For convenience, the Panel will refer to the website as simply the Respondent’s website.

Complainant's registered trademark.

Secondly, paragraph 4(c) of the Policy identifies situations which *may* be cases of rights or legitimate interests. It does not provide that all such cases *are* cases of rights or legitimate interests.

Paragraph 4(c)(ii) of the Policy recognises that a person may legitimately wish to adopt a domain name which reflects his, her or its own name and may very well do so without any intention to trade on the reputation or significance of some other person's trademark. Reasonably, this principle extends to names by which a person is commonly known, not just his, her or its formal name. Paragraph 4(c)(ii) of the Policy is premised on the recognition that a name, such as a birth name is unlikely to have been adopted (or conferred) with an intention to trade on someone's trademark. Likewise, where a person can show that they have been commonly known by some name, particularly for an extended period, the use of the disputed domain name must nonetheless still be in good faith.²

The rationale does not necessarily apply to an assumed or invented name especially where the name closely resembles someone else's trademark and is adopted after that trademark became public, particularly where the trademark is very widely known. The name in such a case has typically been chosen by the promoters or operators for some commercial purpose. In such circumstances, it cannot simply be assumed that the innocent explanation underlying paragraph 4(c)(ii) of the Policy necessarily applies. Accordingly, where an invented or assumed name closely resembles someone else's trademark and there is no authorised connection between the two, it is typically necessary for some explanation about how and why the invented name came to be adopted.

In the present case, the Complainant's trademarks were registered in Nigeria more than 20 years before the Respondent registered the business name Times Associates. The Complainant's registrations cover the very goods and services that are provided through the Respondent's website.

It is true that "time" is an ordinary English word with more than a degree of aptness to those goods and services but it is not wholly and directly descriptive. More importantly, the Complainant has established an extremely strong secondary meaning in TIME as the badge of origin of its services. As a result of that strong secondary meaning, there is a strong inference that the Respondent was well aware of the Complainant's trademark when adopting the business name and the disputed domain name (indeed, as discussed in Section 5C below, the Respondent does not deny that awareness.).

In addition to the registration of the business name and later the company name, the Respondent advances two further arguments. First, the Respondent points to the inclusion of "Africa" and "magazine" in the disputed domain name and says the disputed domain name is not identical with the Complainant's trademark. Secondly, the Respondent points out that the Complainant did not have a site directed specifically to "Africa" until the announcement of the Complainant's "www.africa.time.com" website in conjunction with "Global Venture Partners" in August / September 2025.

Neither point assists the Respondent. First, the Complainant has registered trademarks for TIME in Nigeria. Secondly, and in any event, the Complainant's principal website is accessible from anywhere in the world with an Internet connection and, further, the Complainant's evidence shows significant numbers of people from Africa and indeed Nigeria have accessed and do access the Complainant's website at "www.time.com". Thirdly, as even the Respondent admits, "Africa" and "magazine" are descriptive terms and do not serve to identify the trade source of the services being provided. That the disputed domain name is not identical to the Complainant's trademark does not preclude it from being confusingly similar.

² See e.g., *Shakespeare Company LLC v. Bob Pflueger*, WIPO Case No. [D2010-1126](#), qualifying the "right" to registration to "as a rule" finding on the evidence the use was in good faith. Conversely, panels routinely reject claims to rights or legitimate interests where the domain name is used for some fraudulent activity. [WIPO Overview 3.1](#), section 2.13.

The cases relied on by the Respondent are different situations and do not support the Respondent's claims. In *CANPACK S.A. v. Paul Cameron*, WIPO Case No. [D2025-0266](#), the panel found that the disputed domain name had been adopted independently of the complainant's trademark. Amongst other things, the respondent registered and began using the disputed domain name before the complainant registered its trademark or began supplying goods in Australia by reference to the complainant's trademark. The complainant also sought to enter into a co-existence agreement with the respondent. Thirdly, the respondent's website prominently disclosed the name and contact details of the respondent and described it in a manner which did not create a likelihood of confusion with, or impersonate, the complainant. In the present case, the Respondent's website uses a colour scheme and get-up which seem calculated to suggest it is, or is associated with, the well-known TIME media. For example, the red borders and bands evoke the red border of the Complainant's printed product and some of its early registered trademarks. In addition, the "Time Africa" logo on the website differentiates between the two words to emphasise it is a "Time" product and, until the Complainant's cease and desist letter, the Respondent's website claimed it was registered in both Nigeria and the United States although, on the evidence presented in this proceeding, the latter appears to have been false.

Both *Sanofi-aventis, Aventis Inc. v. Allegra Bonner/Domains By Proxy, Inc.* WIPO Case No. [D2007-1618](#) and *CKL Holdings N.V. v. Paul Flammea*, WIPO Case No. [D2016-1340](#) concerned personal, birth names. In the *Flammea* case, the Respondent also appears to have registered the domain name before the complainant's trademark rights. *Cerruti 1881 s.a.s. v. Gurpreet Johar*, WIPO Case No. [D2012-1574](#) concerned the registered trademark CERRUTI and a domain name <ginocerruti.com> which the panel considered raised complex questions of trademark infringement and required "a full evidentiary proceeding before a court of competent jurisdiction" to ascertain the respondent's intent in adopting the domain name.

In these circumstances, the Panel finds that the Respondent has not rebutted the Complainant's prima facie case under the Policy that the Respondent has no rights or legitimate interests in the disputed domain name.

Accordingly, the Panel finds the Complainant has established the second requirement under the Policy also.

C. Registered and Used in Bad Faith

Under the third requirement of the Policy, the Complainant must establish that the disputed domain names have been both registered and used in bad faith by the Respondent. These are conjunctive requirements; both must be satisfied for a successful complaint: see e.g., *Group One Holdings Pte Ltd v. Steven Hafto*, WIPO Case No. [D2017-0183](#).

For the reasons discussed in relation to section 5B, the Panel considers it was highly likely that the Respondent was well aware of the Complainant's trademark when adopting the disputed domain name. The Respondent does state:

"The Complainant's domain names, or trademarks, 'timeafrica.com', 'timemagazine', 'time100africa' were unknown to the Respondent at the time of the registration of the disputed domain name. To the best of the Respondent's knowledge the Complainant had no publication, whether digital/online or print known and/or referred to 'TIME AFRICA' or 'TIMEAFRICA' at time of the registration of disputed domain name."

The Panel accepts the Respondent's point that the Complainant did not have an "Africa" specific service or site until around September 2025. But that is not conclusive.

It is telling that the Respondent does not specifically deny knowledge of the Complainant's "www.time.com" website or TIME magazine. That is not surprising given the fame of the Complainant's trademark including, it appears, in Africa and indeed Nigeria. Contrary to the Respondent's contention and as already discussed, the addition of the descriptive terms "Africa" and "Magazine" to the Complainant's TIME trademark do not "clearly distinguish" the disputed domain name from the Complainant's trademark. For many people familiar with the Complainant's trademark, those terms likely suggest it is the "Africa"-specific version of the Complainant's publication and service.

In addition, the cases invoked by the Respondent do not assist him. The Response itself summarises *Audio Effetti S.R.L. v. Admin*, WIPO Case No. [D2025-3622](#) in the following terms:

“The Panel held that even if the Respondent knew that GENERALMUSIC was once used for musical instruments, all mentions of the brand on the Internet indicates that the owner ceased business in 2009, and therefore, it is unlikely for the Respondent to have known that the rights to the mark were still alive. Rather, as the disputed domain name is composed of two common dictionary words, it is not impossible for the Respondent to have come up with the disputed domain name by simply combining two terms that it found to be complementary and registered it for investment purposes.”

That is not this case. The Complainant is still using its TIME trademark, has been doing so for over 100 years and the Panel has no hesitation in finding it is a famous mark.

As already discussed in Section 5B, the panel in the *CANPACK* case, *supra*, found that the respondent adopted and began using the domain name before the complainant acquired trademark rights, a point which the complainant’s offer of a co-existence agreement appears to have acknowledged.

The third case relied on by the Respondent is *Bennett, Coleman & Co. Ltd. v. Domain Administrator, Times Media Limited*, WIPO Case No. [D2025-0145](#). The complainant was an Indian company which published the *Times of India* (dating from 1838) and, amongst other things, had registered trademarks for TIMES and TIMES NOW which it used for a news channel launched in 2005. The respondent is based in the United Kingdom and is the publisher of *The Times* newspaper which it, and its predecessors, had been publishing since 1788. The respondent registered the domain name <timesnow.com> in 2001, some three years *before* the complainant adopted its TIMES NOW trademark. The three member panel considered the case so egregious, they found the complainant had engaged in reverse domain name hijacking.

For these reasons and those set out in Section 5B above, therefore, the Panel finds that the Respondent registered the disputed domain name in bad faith. Further, the use of the disputed domain name in connection with a news site in direct conflict with the Complainant’s registered trademarks constitutes use in bad faith all the more so where the website adopted a get-up and colour scheme highly suggestive of the Complainant’s get-up and also appears to have falsely represented that the publisher of the website was registered in the United States where the Complainant is headquartered.

Accordingly, the Complainant has established all three requirements under 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 <timeafricamagazine.com> be transferred to the Complainant.

/Warwick A. Rothnie/

Warwick A. Rothnie

Sole Panelist

Date: April 23, 2026