ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Eric Voskuil v. Timur Gavrylenko
Case No. D2026-3527

1. The Parties

The Complainant is Eric Voskuil, United States of America, self-represented.

The Respondent is Timur Gavrylenko, Cyprus.

2. The Domain Name and Registrar

The disputed domain name <libbitcoin.org> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 8, 2026. On August 10, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 11, 2026, 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, Privacy service provided by WITHHELD FOR PRIVACY LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 14, 2026, 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 August 14, 2026.

The Center verified that the Complaint together with 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 August 19, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 8, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 11, 2026.

The Center appointed Gill Mansfield as the sole panelist in this matter on September 14, 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.

On the September 25, 2026, the Panel issued a Procedural Order ("the Order") pursuant to Paragraphs 10 and 12 of the Rules. The Order requested responses from the Complainant by October 2, 2026, and from the Respondent by October 7, 2026. A response to the Order was received from the Complainant on October 1, 2026. No response was received from the Respondent.

4. Factual Background

The Complainant is an individual who describes himself as the maintainer and steward of the "libbitcoin" open-source software project – a C++ bitcoin toolkit library for building bitcoin applications.

There is no registered trademark for LIBBITCOIN. The Complainant relies on a common law (unregistered) trademark based on rights that the Complainant argues have been acquired though use since 2011 to identify the libbitcoin software project and its components – libbitcoin-system, libbitcoin-network, libbitcoin-database, libbitcoin-node, libbitcoin-server and the Libbitcoin Explorer (BX) (collectively "the Project").

In support of unregistered trademark rights, the Complainant provided evidence that the name "libbitcoin" was used from at least July 21, 2011, in connection with the software project announced by Amir Taaki (the Project's founder), including in forum and mailing list announcements under that name. The Complainant has provided evidence that the disputed domain name was associated with the Project from 2011 and that the Project has continued since that date. The available record includes evidence of continuous development activity under the LIBBITCOIN name including records showing the use of the name for the Project's earliest commits, in its development history, and for commits over a period exceeding 15 years. In addition, the evidence reflects third party engagement with the Project, with independent references to LIBBITCOIN in the bitcoin community and in the media.

The available record also shows that the term "libbitcoin" has been incorporated into various domain names registered to the Complainant. The Complainant is the registered owner of the domain name <libbitcoin.info> (which is currently used by the Complainant to host the LIBBITCOIN website), and the domain names <libbitcoin.net> and <libbitcoininstitute.org>.

The disputed domain name was registered by the Respondent on July 29, 2026, and resolves to an active website that is a copy of the Complainant's LIBBITCOIN website. The disputed domain name was originally created and registered on June 1, 2011, by Amir Taaki under the name "Darkwallet".

The available record shows that that registration expired on June 1, 2026, and the disputed domain name was acquired by the Respondent approximately two months later.

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 is identical to a trademark in which the Complainant has rights. The Complainant argues that LIBBITCOIN is a common law (unregistered) trademark and seeks to rely on rights it says have been acquired through continuous and exclusive use since 2011 to identify the libbitcoin software project and its components. The Complainant argues that the mark has acquired distinctiveness and secondary meaning as a result of:

- the duration and continuity of use: the Complainant submits that LIBBITCOIN has been continuously used as the Project name since 2011;
- public distribution under the mark: the Complainant submits that the software is published and maintained on the website "www.github.com" where there are numerous repositories under the mark with a documented release history;

- documentation and web-presence: the Complainant submits that the disputed domain name was the Project's official domain name from 2011 and hosted the Project's official website until 2018 when the website was migrated to <libbitcoin.info>. The Complainant states that the Project continued to hold the disputed domain name until 2026 when it lapsed; and
- third-party recognition: the Complainant relies on independent media and community references to the Project as "libbitcoin" which it asserts evidences that the name is recognised as identifying the LIBBITCOIN Project.

The Complainant also relies on, what it asserts is, targeting by the Respondent as proof of secondary meaning. The Complainant asserts that the Respondent has reproduced the Project's website verbatim including references to the Complainant and the Project's founder, Amir Taaki, as the authors.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It argues that the Respondent is not commonly known by the disputed domain name, has no authorisation or licence from the Complainant to use the mark, and that there is no bona fide offering of goods or services and no legitimate noncommercial or fair use. In support of this contention, the Complainant relies on the fact that the website at the disputed domain name is a verbatim copy of the Project's website, and submits that the use of a domain name which is identical to a mark to impersonate the owner of that mark cannot establish rights or legitimate interests.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant states that the disputed domain name was registered by the Project's founder on June 1, 2011, and remained continuously registered until 2026. The Complainant further states that the disputed domain name hosted the Project's official website until the Project migrated to <libbitcoin.info> in 2018. The Complainant alleges that the Respondent, having acquired the disputed domain name following a lapse in its registration, immediately deployed an impersonating site. It states that the content of the site at the disputed domain name is an exact reproduction of the Complainant's own site as of 2018 and includes a page crediting the Complainant by name as the author. The Complainant asserts that this establishes that the Respondent knew of the Complainant and the mark, and targeted the mark. It contends that by reproducing the Project's website, under the Project's own name, at the disputed domain name, the Respondent has attempted to attract, for commercial gain (or to mislead), Internet users to the site by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement.

B. Respondent

The Respondent did not reply to the Complainant's contentions, or to the Order.

6. Discussion and Findings

Under paragraph 4(a) of the Policy the Complainant carries the burden of proving:

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

(ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and

(iii) that the disputed domain name has been registered and is being used in bad faith.

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

The first stage of the standing (threshold) test requires the identification of a trademark in which the Complainant has rights at the time of the Complaint. As noted above, there is no registered trademark for LIBBITCOIN. In order to establish unregistered or common law trademark rights, the Complainant must show that its mark has become a distinctive identifier associated with the Complainant's goods or services. WIPO Overview 3.1, section 1.3.

Section 1.3 sets out that the relevant evidence demonstrating such acquired distinctiveness (or secondary meaning) includes a range of factors:

"such as (i) the duration and nature of the use of the mark (which may include social media presence and engagement), (ii) the amount of sales under the mark and during which time period, (iii) the nature and extent of advertising using the mark – including evidence of expenditures over a relevant time period, (iv) the degree of actual public (e.g., consumer, industry such as trade and professional associations, media) recognition, and (v) consumer surveys. The fact that a respondent is shown to have been targeting the complainant's mark (e.g., based on the manner in which the mark is used on the related website or impersonating documents or other instruments) may also support the complainant's assertion and evidence that its mark has achieved significance as a source identifier.

The claimed mark must also be used as a source identifier of goods or services e.g., on a website or on products or packaging used in commerce, provided that the mark, as used, is linked to the goods or services that are being branded with the mark…"

As set out above, the LIBBITCOIN mark has been in continuous use since 2011 as an identifier of the Project. The Complainant has provided evidence of ongoing development activity in relation to the Project software, public announcements, engagement with and recognition of the mark in the bitcoin community, and independent media recognition of the mark. Collectively this would support the Complainant's argument that LIBBITCOIN has acquired the necessary distinctiveness or secondary meaning.

The Panel notes that the disputed domain name is being used to host a copycat site which replicates the content of the Complainant's legitimate website. The Panel is satisfied that this copycat website constitutes targeting of the LIBBITCOIN mark and observes that, whilst not on its own determinative, this further supports the Complainant's contention that the mark has achieved significance as a source identifier.

In the circumstances of this case, the Panel is satisfied that the LIBBITCOIN mark has become a distinctive identifier of the Project such as to confer trademark rights on the Complainant within the meaning of the Policy.

In making this finding, the Panel notes (i) that the available record shows that the Complainant is credited as an author (along with Amir Taaki) on the LIBBITCOIN website, (ii) the Complainant's control of the Project's active domain names <libbitcoin.info>, <libbitcoin.net> and <libbitcoininstitute.org>, (iii) the documented agreement between Amir Taaki and the Complainant that the disputed domain name could be transferred to the Complainant's registrar account, and (iv) the statements from Amir Taaki (which form part of the available record) confirming that he ceased involvement with the Project in 2015, that the Complainant has led and maintained the Project since that date, and that he makes no claim on any LIBBITCOIN mark and consents to the Complainant asserting such rights in these proceedings.

The Panel finds the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. WIPO Overview 3.1, section 1.3.

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 applicable Top-Level Domain ("TLD") in a domain name is a standard registration requirement and as such the TLD ".org" in the disputed domain name is disregarded under the first element confusing similarity test. WIPO Overview 3.1, section 1.11.1.

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 that 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 3.1, 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.

In particular, the Respondent has no authorisation or licence from the Complainant to use the mark in the disputed domain name. The Respondent is not commonly known by the disputed domain name. The Panel notes that the name of the registrant of the disputed domain name disclosed by the Registrar is "Timur Gavrylenko". There is also no evidence of any use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods or services, or of any legitimate noncommercial fair use of the disputed domain name.

The disputed domain name consists of the Complainant's LIBBITCOIN mark in its entirety. As such, the composition of the disputed domain name carries a high risk of implied affiliation with the Complainant's trademark that cannot constitute fair use, as it effectively impersonates the Complainant, or suggests affiliation with or sponsorship or endorsement by the Complainant (WIPO Overview 3.1, section 2.5.1).

Further, the available record shows that the disputed domain name resolves to an active website which is almost identical to the LIBBITCOIN website that was hosted at the disputed domain name prior to the Respondent acquiring the disputed domain name, and also to the Complainant's current website hosted at <libbitcoin.info>. The Panel finds that this falsely creates the impression that the disputed domain name, and the website that it resolves to, is that of the Complainant.

Panels have consistently held that the use of a domain name for illegitimate or illegal activity such as copycat sites, passing off, or other types of fraud can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Further, according to paragraph 14(b) of the Rules, the Panel may draw from the lack of response of the Respondent such inferences as it considers appropriate. The Panel is of the view that the lack of response from the Respondent corroborates the absence of any rights or legitimate interests of the Respondent in the disputed domain name.

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 notes that the Respondent registered the disputed domain name 15 years after the commencement of the Project and the public announcements relating to it in 2011. As previously noted, between 2011 and 2018 the disputed domain name was used to host the LIBBITCOIN website (until the website was migrated to the domain name <libbitcoin.info> in 2018 by the Complainant). The disputed domain name remained associated with the Project until the registration expired in 2026.

As discussed above, at the time of the Complaint the disputed domain name resolved to an active website which was a copy of the Complainant's own website at <libbitcoin.info> and the website previously hosted at the disputed domain name prior to the Respondent's registration of the disputed domain name. The content of this copycat website specifically cites the Complainant as one of the authors. In the circumstances, it is implausible that the Respondent did not know of the Complainant and the LIBBITCOIN mark at the time that the Respondent registered the disputed domain name.

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 trademark as to the source, sponsorship, affiliation or endorsement of the Respondent's website or products or services on the Respondent's website under paragraph 4(b)(iv) of the Policy.

Further, Panels have consistently held that the use of a domain name for illegitimate or illegal activity such as, in this case, to host a copycat site constitutes bad faith. WIPO Overview 3.1, section 3.4.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes 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 <libbitcoin.org> be transferred to the Complainant.

/Gill Mansfield/
Gill Mansfield
Sole Panelist
Date: October 12, 2026