

ADMINISTRATIVE PANEL DECISION

Netflix, Inc. v. Netflix International, netflixfilmsoriginals.com, and Elle Gomez,
Netflix Films Acquisition
Case No. D2024-4733

1. The Parties

The Complainant is Netflix, Inc., United States of America ("US"), represented by Coates IP LLP, US.

The Respondents are Netflix International, netflixfilmsoriginals.com, Philippines, and Elle Gomez, Netflix Films Acquisition, Philippines.

2. The Domain Names and Registrar

The disputed domain names <netflixfilmsoriginals.com> and <netflixinternational.com> are registered with Squarespace Domains II LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 15, 2024. On November 18, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On November 18, 2024, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which partly differed from the named Respondents (UNKNOWN RESPONDENT / Netflix Films Acquisition and netflixfilmsoriginals.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 19, 2024, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaint(s) for the disputed domain name associated with different underlying registrant or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on November 23, 2024.

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 Respondents of the Complaint, and the proceedings commenced on November 28, 2024. In accordance with the Rules, paragraph 5, the due date for Response was December 18, 2024. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on December 19, 2024.

The Center appointed George R. F. Souter as the sole panelist in this matter on December 24, 2024. 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 one of the world's leading entertainment services offered to the public under its NETFLIX trademark, with over 278 million paid memberships in over 190 countries.

The Complainant is the proprietor of over 600 registrations of its NETFLIX trademark in over 150 jurisdictions, including US Registration number 6295480, registered on March 16, 2021.

The disputed domain name <netflixinternational.com> was registered on September 18, 2024. The Complainant has submitted evidence showing that this disputed domain name was used in furtherance of a phishing scheme attempting to mislead the recipients into believing that they have a contractual offer from the Complainant.

The disputed domain name <netflixfilmsoriginals.com> was registered on October 13, 2024. Both disputed domain names do not resolve to any active websites.

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 names.

Notably, the Complainant contends that the Respondents are not commonly known by either disputed domain name, provide no bona fide goods or services under the Netflix marks, and are not making any legitimate noncommercial or fair use of the disputed domain names.

The Complainant also contends that the Respondents are using both disputed domain names to fraudulently impersonate employees of the Complainant, to the obvious detriment of the Complainant

B. Respondents

The Respondents did not reply to the Complainant's contentions

6. Discussion and Findings

The Panel notes that the amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the Respondents share the same contact email address according to the information provided in the Registrars' verification details. The Panel also notes that both disputed domain names incorporate the Complainant's NETFLIX trademark and both Respondents are reportedly

located in Philippines. The Panel therefore finds that the Respondents are either the same entity or mere alter egos of each other. Accordingly, the Respondents are referred to as the “Respondent” hereinafter.

A. Identical or Confusingly Similar

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([“WIPO Overview 3.0”](#)), section 1.2.1.

The Panel finds the Complainant’s NETFLIX trademark is recognisable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the Complainant’s trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. The elements added to either disputed domain name do not prevent this finding.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel notes that the registrant name and the registrant organization identified in the registration details of the disputed domain names are, respectively, “Netflix International” for the disputed domain name <netflixfilmsoriginals.com> and “Netflix Films Acquisition” for the disputed domain name <netflixinternational.com>. However, there is no evidence before the Panel that the Respondent is actually commonly known by the disputed domain names, “Netflix International” or “Netflix Films Acquisition”. Rather, it appears most likely that such details were specifically chosen to falsely suggest an affiliation with the Complainant, the use of at least one of the disputed domain names in furtherance of the phishing scheme affirms this finding.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel considers it obvious that the disputed domain names deliberately incorporated the Complainant’s well-known trademark for the purposes of unfairly benefitting from the reputation of the Complainant’s trademark, which justifies a finding of registration in bad faith, and the Panel so finds.

Panels have consistently held that the use of a domain name for the purposes of phishing constitutes use of that disputed domain name in bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record in the present case, the Panel finds the Respondent’s registration and use of the disputed domain names constitutes bad faith under the Policy. The passive holding of the disputed domain names does not prevent a finding of bad faith in the circumstances of this case.

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 names <netflixfilmsoriginals.com> and <netflixinternational.com> be transferred to the Complainant.

/George R. F. Souter/

George R. F. Souter

Sole Panelist

Date: January 7, 2025