

ADMINISTRATIVE PANEL DECISION

Sfanti Grup Solutions SRL v. Domain Administrator d/b/a privacy.cloudns.net
Case No. D2025-0627

1. The Parties

The Complainant is Sfanti Grup Solutions SRL c/o Walters Law Group, United States.

The Respondent is Domain Administrator d/b/a privacy.cloudns.net, Bulgaria.

2. The Domain Name and Registrar

The disputed domain name <megapersonalspro.com> is registered with PDR Ltd. d/b/a PublicDomainRegistry.com (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 17, 2025. On February 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 19, 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 and contact information in the Complaint. The Center sent an email communication to the Complainant on February 20, 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 February 21, 2025.

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 February 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 19, 2025.

The Center appointed Iris Quadrio as the sole panelist in this matter on March 27, 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 the owner and operator of the websites located at the domain names <megapersonals.com> and <megapersonals.eu>, which have been used for several years in connection with Internet-based social introduction and dating services. The Complainant has made extensive use of the MEGAPERSONALS trademark in association with these services, thereby acquiring significant goodwill and recognition among users.

The Complainant owns the trademark MEGAPERSONALS in the United States Patent and Trademark Office (USPTO), Reg. No. 6432591, for class 45, registered since July 27, 2021. The Complainant also claims that these trademark rights have been recognized in numerous UDRP proceedings (See *Sfanti Grup Solutions SRL v. Mohd Khan*, WIPO Case No. [D2023-4010](#); *Sfanti Grup Solutions SRL v. NameSilo, LLC, Domain Administrator*, WIPO Case No. [D2023-2203](#))

Likewise, the Complainant asserts to have online presence in Internet through its primary websites <megapersonals.com>, registered since June 12, 2003, and <megapersonals.eu>, registered since June 8, 2020.

As evidenced in Annex G, the Complainant tried to resolve this dispute outside of this administrative proceeding by sending a cease-and-desist letter to the Respondent on December 6, 2024, but did not receive a reply.

Lastly, the Respondent registered the disputed domain name on September 21, 2024, which resolves to a commercial website displaying the MEGAPERSONALS trademark and offering goods and services in direct competition with those offered by the Complainant.

5. Parties' Contentions

A. Complainant

The Complainant states that the disputed domain name is confusingly similar to its trademark MEGAPERSONALS, and to its associated domain name.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name, nor is he related in any way to the Complainant. Neither license nor authorization has been granted to the Respondent to make any use of the Complainant's trademark MEGAPERSONALS or apply for registration of the disputed domain name.

More specifically, the Complainant alleged that the Respondent has not used and/or has no demonstrable intention to use the disputed domain name except to create a likelihood of confusion with the Complainant's trademark. In fact, the Complainant claims that the Respondent has selected the disputed domain name only to intentionally lead Internet users to believe they are accessing the Complainant's website.

Finally, the Complainant has requested the Panel to issue a decision ordering the transfer of the disputed domain name to the Complainant.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, for this Complaint to succeed in relation to the disputed domain name, the Complainant must prove each of the following, namely that:

- (i) The disputed domain name is identical or confusingly similar with a trademark or service mark in which the Complainant has rights; and
- (ii) The Respondent has no rights or legitimate interest in respect of the disputed domain name; and
- (iii) The disputed domain name was 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 Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, the descriptive term "pro", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 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 3.0](#), section 2.1.

The Complainant has claimed not to have authorized, licensed, or permitted the Respondent to register or use the disputed domain name or to use the MEGAPERSONALS trademark nor is there any other evidence in the file suggesting that the Respondent has or could have rights or legitimate interests in the disputed domain name.

Likewise, it does not seem that the Respondent is making any legitimate noncommercial or fair use of the disputed domain name. In this regard, the Complainant has proven in Annex F, that the disputed domain name directs to a commercial website that displays the Complainant's MEGAPERSONALS trademark and

appears to offer goods and services in direct competition with those offered by the Complainant. These actions clearly aim to exploit the Complainant's reputation by misleading Internet users into believing that the website is an official platform of the Complainant. Hence, as established in section 2.5 of [WIPO Overview 3.0](#): *"Fundamentally, a respondent's use of a domain name will not be considered 'fair' if it falsely suggests affiliation with the trademark owner; the correlation between a domain name and the complainant's mark is often central to this inquiry."*

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.

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 such connection, the Complainant has submitted evidence to support that the trademark MEGAPERSONALS was registered and used many years before the Respondent registered the disputed domain name. When registering the disputed domain name, the Respondent has targeted the Complainant's trademark MEGAPERSONALS to create confusion among the Internet users and benefit from Complainant's reputation.

Therefore, the Panel is satisfied that the Respondent must have been aware of the Complainant and the Complainant's trademark MEGAPERSONALS when it registered the disputed domain name. Consequently, and in accordance with Section 3.1.4 of [WIPO Overview 3.0](#), the Panel considers that the inclusion of the Complainant's MEGAPERSONALS trademark in the disputed domain name creates a presumption that the disputed domain name was registered on a bad faith basis.

Likewise, based on the evidence provided by the Complainant in Annex F, the disputed domain name resolved to a commercial website that offered goods and services in direct competition with the Complainant. Clearly, the Respondent should have known the existence of the Complainant when registering the disputed domain name.

The Panel finds therefore that the Respondent's use of the disputed domain name was intended to attract and mislead Internet users when searching for the Complainant's website and to redirect them to a website from which the Respondent most probably derives commercial revenue by creating a likelihood of confusion with the Complainant's trademark.

Even more, the Respondent has ignored the cease-and-desist letter from the Complainant, which aimed at resolving this matter amicably outside of this administrative proceeding.

Lastly, the Panel conducted an unofficial search and confirmed that the Respondent has been involved in previous UDRP proceedings. This confirms that the Respondent has already engaged in similar illegitimate behavior in the past.

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 <megapersonalspro.com> be transferred to the Complainant.

/Iris Quadrio/

Iris Quadrio

Sole Panelist

Date: April 10, 2025