

ADMINISTRATIVE PANEL DECISION

Sfanti Grup Solutions SRL v. MH Sumon
Case No. D2025-0628

1. The Parties

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

The Respondent is MH Sumon, Bangladesh.

2. The Domain Name and Registrar

The disputed domain name <megapers0nals.com> is registered with Cosmotown, Inc. (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 20, 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 21, 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 amendment to the Complaint on February 21, 2025.

The Center verified that the Complaint together with the amendment to 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 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.

Lastly, the Respondent registered the disputed domain name on September 25, 2024, and it resolved to a website that appear to mimic one of the Complainant's sister website (as demonstrated by the Complainant in Annex F). Currently, it resolves to an inactive website.

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.

The Complainant states that the disputed domain name <megapers0nals.com> is confusingly similar to its trademark MEGAPERSONALS on which the Complainant has prior rights.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name <megapers0nals.com> and he is not related in any way with the Complainant. The Complainant is not related to the Respondent in any way and has not established any activity and/or business with the Respondent.

More specifically, the Complainant alleged that the Respondent has not used and/or has no demonstrable intention of using the disputed domain name except to create a likelihood of confusion with the Complainant's trademark. In fact, the Complainant claims that the first use of the disputed domain name is only intended to generate confusion among consumers as to the origin of the 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 Panel finds the mark is recognizable 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. The typosquatting practice of changing the letter "o" for the number "0" does not prevent this Panel from concluding that the disputed domain name is confusingly similar to the Complainant's trademark under [WIPO Overview 3.0](#), section 1.9.

Moreover, the ".com" generic Top-Level Domain ("gTLD") is viewed as a standard registration requirement and is generally disregarded under the first element of the confusing similarity test, as set forth in section 1.11.1 of [WIPO Overview 3.0](#).

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, at the time of its detection, the disputed domain name was pointing to a website that appears to mimic one of the

Complainant's sister website, and it also depicted at a later stage the Complainant's MEGAPERSONALS trademark. These actions clearly aim at exploiting 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."

Currently, the Respondent is passively holding the disputed domain name by directing users to an inactive website and, therefore, this Panel considers that the Respondent is not making any legitimate noncommercial or fair use of disputed domain name.

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 should have been aware of the Complainant and the Complainant's trademark MEGAPERSONALS when it registered the disputed domain name.

Likewise, based on the evidence provided by the Complainant by Annex F, the disputed domain name resolved to a website mimicking one of the Complainant's sister official website and displaying the Complainant's trademark MEGAPERSONALS at a later stage. Clearly, the Respondent should have known the existence of the Complainant when registering the disputed domain name.

Moreover, the disputed domain name initially directed to a website that was designed to deceive users who intended to get access to the Complainant's website into unknowingly providing their log-in credentials for phishing purposes. Panels have held that the use of a domain name for illegal activity, here, claimed as phishing, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Currently, the disputed domain name resolves to an inactive website. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

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 <megapers0nals.com> be transferred to the Complainant.

/Iris Quadrio/

Iris Quadrio

Sole Panelist

Date: April 10, 2025