

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Dolly Ann Senior
Case No. D2025-0662

1. The Parties

The Complainant is Fenix International Limited c/o Walters Law Group, United States of America ("United States").

The Respondent is Dolly Ann Senior, Philippines (the).

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 19, 2025. On February 20, 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 (Redacted for Privacy, Privacy service provided by Withheld for Privacy) 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 amended 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 March 3, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 23, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 24, 2025.

The Center appointed Rachel Tan 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 a company which provides a social media platform at the website “www.onlyfans.com” that allows users to post and subscribe to audiovisual content on the Internet. According to the Complainant, the website is one of the most popular websites in the world with more than 305 million registered users.

The Complainant is the owner of the ONLYFANS mark in various jurisdictions. For example, International Registration No. 1507723 for ONLYFANS, registered on November 2, 2019 in Classes 9, 35, 38, 41, and 42, designating inter alia, Philippines; United States Registration No. 5769267 for ONLYFANS, registered on June 4, 2019 in Class 35; and European Union Trade Mark No. 017912377 for ONLYFANS, registered on January 9, 2019 in Classes 9, 35, 38, 41, and 42.

Separately, the Complainant operates and is the registrant of the domain name <onlyfans.com> (registered on January 29, 2013). The Complainant uses its ONLYFANS mark on the website.

On October 14, 2024, the Complainant sent a cease-and-desist letter to the Respondent with demands to stop using and cancel the disputed domain name. At the time of the Complaint, there was no response from the Respondent to the letter.

The disputed domain name was registered by the Respondent on July 31, 2024. At the time of the Complaint, the disputed domain name redirected to a website which displayed the ONLYFANS trade mark and offered adult entertainment content purportedly in direct competition with the Complainant’s services, and at the time of the Decision, the disputed domain name redirects to an active webpage “hentai222.com” which contains adult entertainment content.

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 disputed domain name is identical or confusingly similar to the Complainant’s ONLYFANS mark. The disputed domain name incorporates the Complainant’s mark in its entirety with a descriptive term “leaks”, which does not avoid a finding of confusing similarity. The generic Top-Level Domain (“gTLD”), i.e. “.pro”, is also disregarded in the assessment of confusing similarity.

The Complainant further alleges that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant has not licensed or otherwise authorized the Respondent to use its ONLYFANS mark or to register any domain name incorporating the mark. The Respondent is not commonly known by the disputed domain name. In addition, the disputed domain name redirected to a website that offers adult entertainment services, which is in direct competition with the Complainant’s services and does not constitute a fair use of the disputed domain name. The Complainant further asserts that the composition of the disputed domain name carries a risk of implied affiliation.

Finally, the Complainant argues that the disputed domain name was registered and is being used in bad faith. Given the substantial worldwide recognition, the Complainant claims that the ONLYFANS mark is well-known. At the time of registration of the disputed domain name, the Respondent knew, or at least should have known, of the existence of the Complainant’s ONLYFANS mark. Moreover, the disputed domain name

is being used by the Respondent to offer adult entertainment content which is in direct competition with the Complainant's services. The Respondent's failure to respond to the Complainant's cease-and-desist letter of October 14, 2024 is also evidence of bad faith.

B. Respondent

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

6. Discussion and Findings

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, i.e. "leaks", 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.

Lastly, it is permissible for the Panel to disregard the applicable gTLD in the disputed domain name, i.e. ".pro". It is accepted by UDRP panels that the practice of disregarding the TLD in determining identity or confusing similarity is applied irrespective of the particular TLD (including with regard to new gTLDs) and the ordinary meaning ascribed to a particular TLD would not necessarily impact assessment to the first element. [WIPO Overview 3.0](#), sections 1.11.1 and 1.11.2. See also *Fenix International Limited v. Mudasir Ejaz*, WIPO Case No. [D2024-2939](#).

Based on the available record, 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.

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 Respondent has not provided evidence of a legitimate or noncommercial use of the disputed domain name, or reasons to justify the choice of the disputed domain name that is confusingly similar to the Complainant's ONLYFANS mark. There is also no indication to show that the Respondent is commonly known by the disputed domain name or otherwise has rights or legitimate interests in it. The Complainant has not granted the Respondent any license or authorization to use the Complainant's ONLYFANS mark or register the disputed domain name. In addition, the disputed domain name redirects to a website hosting adult entertainment content, which is purportedly in direct competition with the Complainant's services and cannot constitute bona fide offering of services. None of the circumstances in paragraph 4(c) of the Policy are present in this case

Based on the available record, 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 well-known status of the Complainant's ONLYFANS mark was recognized in previous UDRP decisions. See *Fenix International Limited c/o Walters Law Group v. WhoisGuard, Inc., WhoisGuard Protected / Marry Mae Cerna*, WIPO Case No. [D2021-0327](#). The disputed domain name was registered long after the registration of the Complainant's ONLYFANS mark. As such, the Panel considers that the Respondent either knew or should have known of the Complainant's ONLYFANS mark when registering the disputed domain name.

Section 3.1.4 of the [WIPO Overview 3.0](#) states that the "mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith". In this case, the disputed domain name incorporates the Complainant's widely-known ONLYFANS mark with a descriptive term (i.e., "leaks"), and was registered by the Respondent who has no relationship with the Complainant, thus creating a presumption of bad faith.

The Panel notes that the disputed domain name was used by the Respondent to redirect to a website featuring adult entertainment content, which is purportedly in direct competition with the Complainant's services. This demonstrates the Respondent's intention to make commercial gain from the website by creating a likelihood of confusion with the Complainant's mark and attracting Internet users. Such use constitutes evidence of bad faith registration and use as contemplated under paragraph 4(b)(iv) of the Policy.

The Respondent has kept silent in the face of the Complainant's allegations of bad faith both in response to the cease-and-desist letter and in response to the Complaint in this proceeding. Taking into account these circumstances, the Panel finds that the Respondent must have known of the Complainant before registering the disputed domain name and, considering the Respondent's lack of rights or legitimate interests, and by registering and using the disputed domain name as discussed above, the Panel is led to conclude that the disputed domain name was registered and are being used in bad faith.

Based on the available record, 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 <onlyfansleaks.pro> be transferred to the Complainant.

/Rachel Tan/

Rachel Tan

Sole Panelist

Date: April 10, 2025