

ADMINISTRATIVE PANEL DECISION

Netflix, Inc. v. Name Redacted

Case No. D2025-0678

1. The Parties

Complainant is Netflix, Inc., United States of America (“United States”), represented by Coates IP, United States.

Respondent is Name Redacted¹.

2. The Domain Name and Registrar

The disputed domain name <netflix-contracts.com> is registered with Tucows Domains Inc. (the “Registrar”).²

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 (UNKNOWN RESPONDENT) and contact information in the Complaint. The Center sent an email communication to Complainant on February 21, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on March 3, 2025.

¹ The Respondent appears to have used the name of a third party when registering the disputed domain name. In light of the potential identity theft, the Panel has redacted the Respondent’s name from this decision. However, the Panel has attached as Annex 1 to this decision an instruction to the Registrar regarding transfer of the disputed domain name, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding, and has indicated Annex 1 to this decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. D2009-1788.

² The Panel notes that although the captions in the Complaint and in the Amended Complaint contain an apparently inadvertent mistake regarding the spelling of the disputed domain name, all references in the body of both the Complaint and of the Amended Complaint refer clearly to the disputed domain name. Furthermore, the Center properly notified the named registrant. The Panel therefore deems that the mistake by Complainant in the captions constitutes harmless error, and that this proceeding is properly notified and subject to decision.

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 Respondent of the Complaint, and the proceedings commenced on March 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 25, 2025. A third party with an identical name as the underlying registrant after the reception of the Written Notice contacted the Center on March 23, 2025, claiming identity theft. Pursuant to paragraph 6 of the Rules, on March 26, 2025, the Center informed the Parties that it would proceed with the panel appointment process.

The Center appointed Lorelei Ritchie as the sole panelist in this matter on April 5, 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

Complainant is a multinational company based in the United States. For over two decades prior to the registration of the disputed domain name, Complainant has offered various entertainment services under the mark NETFLIX. In this regard, Complainant is the owner of several registrations for the NETFLIX mark. These include, among others, United States Registration No. 3,194,832 (registered January 2, 2007).

The disputed domain name was registered on December 19, 2024. Although the disputed domain name does not appear to resolve to an active website, Respondent has included links to the disputed domain name in email messages that impersonate Complainant and offering music licensing contracts to artists on behalf of Complainant. Respondent has no affiliation with Complainant, nor any license to use its marks.

5. Parties’ Contentions

A. Complainant

Complainant contends that (i) the disputed domain name is identical or confusingly similar to Complainant’s trademarks, (ii) Respondent has no rights or legitimate interests in the disputed domain name; and (iii) Respondent registered and is using the disputed domain name in bad faith.

Specifically, Complainant contends that it owns rights to the well-known NETFLIX mark as “one of the world’s leading entertainment services,” and that Complainant has “over 302 million paid memberships” for its NETFLIX streaming service “in over 190 countries.” Complainant contends that Respondent has incorporated in full Complainant’s NETFLIX mark into the disputed domain name, with only the addition of a hyphen and the dictionary term “contracts.” Complainant further contends that Respondent lacks rights or legitimate interests in the disputed domain name and rather has registered and is using it in bad faith, having simply acquired the disputed domain name for Respondent’s own commercial gain. In particular, Complainant asserts that Respondent has sent email messages to musical artists, impersonating Complainant and inviting addressees to click on links to the disputed domain name.

B. Respondent

Respondent did not reply to 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. Complainant has shown rights in respect of a trademark or service mark, NETFLIX, for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Although the addition of other terms (here, a hyphen and the term "contracts") 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 Complainant's mark for purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which Complainant has rights in accordance with paragraph 4(a)(i) of the Policy.

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 Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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. Panels have held that the use of a domain name for illegal activity, including phishing activity as here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds that Complainant has established a prima facie case showing Respondent's lack of "rights or legitimate interests" in accordance with paragraph 4(a)(ii) of the Policy which Respondent has not rebutted.

C. Registered and Used in Bad Faith

There are several ways that a complainant can demonstrate that a domain name was registered and used in bad faith. Although the disputed domain name does not appear to resolve to an active website as of the filing of the Complaint, Panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Respondent provided false contact information to the Registrar. Furthermore, Panels have held that the use of a domain name for illegal activity constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. As noted in Section 4, above, Respondent has included links to the disputed domain name in messages that impersonate Complainant. It is apparent from the use of the disputed domain name that Respondent is aware of Complainant's rights in the globally famous NETFLIX mark. See also *Netflix, Inc. v. John Paul Tano*, WIPO Case No. [D2024-1149](#); *Netflix, Inc. v. WhoisGuard, Inc. / Siddharth Sethi*, WIPO Case No. [D2020-3321](#).

Therefore, the Panel finds sufficient evidence that Respondent registered and used the disputed domain name in bad faith for purposes of paragraph (4)(a)(iii) 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 <netflix-contracts.com> be transferred to Complainant.

/Lorelei Ritchie/

Lorelei Ritchie

Sole Panelist

Date: April 26, 2025