

## **ADMINISTRATIVE PANEL DECISION**

ReVanced v. Linh Le, Wii Buu

Case No. D2025-0959

### **1. The Parties**

The Complainant is ReVanced, United States of America (“United States”), self-represented.

The Respondents are Linh Le, Viet Nam (the “First Respondent”); Wii Buu, Viet Nam (the “Second Respondent”).

### **2. The Domain Names and Registrar**

The disputed domain names <revanced.dev>, and <revanced.net> are registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 10, 2025. On March 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On March 11, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy) and contact information in the Complaint.

The Center sent an email communication to the Complainant on March 11, 2025, 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 names associated with different underlying registrants 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 the amended Complaint on March 15, 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 March 25, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 14, 2025. The First Respondent’s Response was filed with the

Center on March 26, 2025. The Second Respondent's Response was filed with the Center on April 16, 2025. The Complainant sent supplemental filings to the Center on April 17, 2025, and April 18, 2025, and the Second Respondent sent supplemental filings to the Center on April 17, 2025, and April 22, 2025.

The Center appointed Andrew D. S. Lothian as the sole panelist in this matter on May 1, 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 non-profit organization based in the United States concerned with the development and promotion of open-source software.

The Complainant organizes the production of software called "ReVanced Manager", also known as "ReVanced" in abbreviation, which provides a patcher for modifying Android applications, or "apps". According to media coverage of the Complainant's software dated February 16, 2023, the open-source developer community began working on the "ReVanced" project shortly after a previous project, named "Vanced", was discontinued in 2022. It appears that one potential use of the Complainant's application (not directly facilitated by the Complainant itself) is to provide an advertisement-free experience for certain video and music sharing platforms. Given its nature and popularity, as outlined below, the Panel considers it reasonable to infer that the Complainant's "ReVanced" project and related software garnered rapid interest and popularity online from its launch date forward.

The Complainant has applied for a registered trademark in the United States in respect of the word mark REVANCED in Class 9 (predominantly software) under serial number 98875904. Said mark has not yet proceeded to grant, and the Complainant claims unregistered trademark rights in the same mark.

The Complainant's official website is found at "www.revanced.app", active since the corresponding domain name's registration on March 20, 2022.<sup>1</sup> A screenshot of the Complainant's "Cloudflare" (web hosting) control panel indicates that the said website is in receipt of substantial traffic from sources worldwide, with 18,200 visits and 328,000 page views on a single day, February 19, 2025. The Complainant notes that its "ReVanced" project was started on GitHub, a web-based platform used to store and share software, on March 22, 2022, although the link which it provides of the initial commit (the operation that sends the first iteration of the source code to the repository) of "revanced-patcher" appears to be dated March 16, 2022.

The Complainant maintains a Telegram channel named "ReVanced" on which it has 87,401 subscribers. The Complainant produces a screenshot from the social media platform "X", formerly Twitter, showing that it joined this as "ReVanced" and "@revancedapp" in March 2022, and currently has 29,500 followers, having made 158 posts. The Complainant also produces a screenshot from the social media platform "Reddit", where its presence, "r/revancedapp" was created on March 21, 2022, and currently features 241,000 members. A further screenshot from this platform indicates that the Complainant is the recipient of expressions of thanks and appreciation from its online community. A screenshot from what appears to be <discord.dev> of the Complainant's Discord server insights page suggests that the Complainant's total Discord community membership is just under 98,000 members.

A screenshot of the Complainant's central repository of code on "GitHub" shows 22,100 followers, with "stargazers" (users' bookmarks) of the Complainant's individual repositories amounting to 19,700 for "revanced-manager" and 4,600 for "revanced-patches-template", among others. A further screenshot of a site which appears to be the Complainant's page on "www.opencollective.com" indicates that the

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<sup>1</sup>This detail, together with certain others available from public sources, was checked by the Panel in its review of the Parties' submissions. In this example, the Panel visited "lookup.icann.org" and searched the records in respect of the Complainant's official domain name. With reference to the Panel conducting independent research of publicly available sources, see the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 4.8.

Complainant has received financial contributions from 627 contributors, ranging from individual sums of under EUR 100 to an amount in the thousands of Euros. A screenshot from what appears to be the video sharing platform YouTube indicates that the Complainant's software has benefited from third party coverage which has received in excess of 100,000 views. The Complainant also shows that it has been in receipt of favorable online media coverage from third party websites in respect of "Revanced Manager" since at least November 2022.

The disputed domain name <revanced.net> was created on April 1, 2022. According to the Complainant's screenshot of the website associated with this disputed domain name, undated but showing an update date of January 22, 2025, the site offers an Android Package Kit or APK for download (a file format for distribution of an Android app) which it has named "ReVanced Manager". The software is described as "[...] an all-in-one solution for downloading, installing, and managing ReVanced apps and other modded APKs, offering a safe, reliable, and user-friendly experience".

The disputed domain name <revanced.dev> was created on November 25, 2023. According to the Complainant's screenshot of the website associated with this disputed domain name, undated but showing an update date of February 13, 2025, the site offers a download of "Community ReVanced Manager" together with a pre-built version of "YouTube and MicroG", together with software named "ReVanced Extended", which the site states was developed by a contributor to the original Vanced project "[...] but comes with a lighter interface and distinct disparities".

The Complainant provides links to the Internet Archive "Wayback Machine" dated October 8, 2024, in respect of the website associated with the disputed domain name <revanced.net> and January 11, 2024, in respect of the website associated with the disputed domain name <revanced.dev> alleging that these had the same content and design resources. The Panel followed the links concerned but the latter link was unavailable. The Panel reminds the Parties that the better course of action in providing evidence is to include dated screenshots where practicable so as to avoid this kind of issue. The content of sites found by way of links can change after a party's filing. The Panel was however able to obtain a screenshot for the latter disputed domain name from the same source dated September 27, 2024, which it accepts in lieu of the Complainant's evidence, and from which the Panel was able to identify that the text of the two websites was largely identical at the material dates, and that they each featured the same "donate" button in the same place on their respective pages.

Each of said archived websites associated with the disputed domain names contains a disclaimer at the foot of the download links stating "Please note that [the disputed domain name concerned] is a community-driven website created by ReVanced enthusiasts to distribute clean APKs and is not official. The official ReVanced sources are only [github.com/ReVanced](https://github.com/ReVanced) and [revanced.app](https://revanced.app)."

The "Donate" button on both of said archived websites appeared to link to the URL "[ko-fi.com/revancedapps](https://ko-fi.com/revancedapps)". The Complainant produces an archived screenshot of said link destination, noting that it has since been blocked on the grounds of soliciting donations by misrepresentation. Said archived screenshot references the disputed domain name <revanced.net> and solicits donations.

The Complainant produces evidence by way of an online discussion indicating that an Internet user has been confused by the website associated with the disputed domain name <revanced.net>. Notably, an online community member responded to such user describing the said website as "a fake bootlog Manager from a scam 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 names.

Notably, the Complainant contends that its respective Complaints should be consolidated in respect of the disputed domain names, notwithstanding the nominally different registrants, because they use identical content, identical site identifiers, donation links, and other identifiers. The Complainant asserts that both websites associated with the disputed domain names serve downloads from the same GitHub account that identifies itself as the owner of the disputed domain name <revanced.net>, and that both sites use the same analytic tracking account which references “log.revanced.net”, i.e., a sub-domain of one of the disputed domain names. The Complainant also points out that the Registrar records for the two disputed domain names each feature bogus information rather than genuine address and telephone data.

The Complainant submits that it has established its REVANCED mark as a distinctive identifier for its goods and services, by reference to brand recognition of its Android app patcher and its significant user base, and its active communities on platforms such as Reddit, Telegram, Twitter, Discord and GitHub, adding that the communities discuss, support and share information about its software. The Complainant also points to user testimonials and reviews highlighting the unique features and benefits of its software, which it says distinguish it from similar services, and highlights the media coverage which it has received, together with evidence of its website traffic and engagement, which it submits indicate a strong association between the brand and its services.

The Complainant submits that the disputed domain name <revanced.net> was registered after the Complainant had registered its official domain name <revanced.app>, had placed it into use, and had started its project on GitHub. The Complainant asserts that the Respondent has no right to use the term “revanced”, adding that it has no authorization from the Complainant to use the “ReVanced” name, nor has the Respondent been part of or contributed to the Complainant’s official project, adding that the Complainant’s said name is unique and was never before used publicly, and that end users exclusively identify this name with the Complainant. The Complainant notes that its source code is open source but adds that its terms and conditions do not give free use of the project name or identity.

The Complainant submits that the websites associated with the disputed domain names present themselves in a manner consistent with its official project, including distributing unofficial and unrelated applications branded with the Complainant’s “ReVanced” identity and trademark, misleading users into believing that they are interacting with the official project. The Complainant notes that said websites distribute a copycat app bearing the same name as the official “ReVanced Manager”, which is not a fork or modification of the official app but instead a completely different application, confusing users and damaging the reputation of the Complainant’s official project.

The Complainant contends that by mimicking the Complainant’s official project and using the “ReVanced” identity and REVANCED mark, the Respondent aims to mislead consumers and divert Internet traffic away from the Complainant’s business and tarnish said mark, demonstrating an intent to exploit the reputation and recognition of the Complainant’s project for the Respondent’s own benefit.

## **B. First Respondent**

The First Respondent’s contentions relate to the disputed domain name <revanced.dev>.

The First Respondent states that it categorically denies any connection to the disputed domain name <revanced.net> or its registrant, adding that any similarities in the websites associated with the disputed domain names arise from shared reliance on the same open-source repository.

The First Respondent acknowledges that <revanced.dev> incorporates the term “ReVanced”, submitting that mere incorporation of such term does not inherently establish bad faith or confusion, particularly where legitimate noncommercial or fair use is demonstrated. The First Respondent argues that <revanced.dev> may be distinguished from the Complainant’s official domain name by way of the “.dev” generic Top-Level Domain (“gTLD”), which it asserts is commonly associated with technical projects and reduces the likelihood of confusion.

The First Respondent submits that <revanced.dev> was registered with the intention of developing an educational resource to provide tutorials and technical guidance on modified Android applications, including but not limited to the “ReVanced” project, constituting a legitimate interest under the Policy. The First Respondent states that while the said website is currently under development, preparatory steps include drafting educational content and configuring hosting infrastructure, noting that “demonstrable preparations” for legitimate use suffice for the purposes of the Policy.

The First Respondent asserts that the website associated with the disputed domain name concerned was built using publicly available open-source code from the GitHub repository at “vanceedapps/vanced.net” as a foundational template, noting that the repository’s license permits modification and redistribution, and adding that at no time has it represented <revanced.dev> as an official “ReVanced” platform. The First Respondent notes that the website associated with the disputed domain name concerned contains no commercial content, advertisements, or solicitations for donations, adding that future monetization would solely offset operational costs and would not exploit the Complainant’s mark. The First Respondent indicates that it is willing to implement prominent disclaimers clarifying non-affiliation with the Complainant.

The First Respondent states that the Complainant’s reference to a banned Ko-fi account pertains to the other disputed domain name, <revanced.net>, unrelated to the First Respondent, adding that it has neither solicited funds nor engaged in misrepresentation. The First Respondent states that the Complainant’s claim of a “copycat” website design stems from its lawful use of open-source code, the repository owner of which disclaimed affiliation with “ReVanced”, adding that at the time when the disputed domain name concerned was registered, the Complainant’s trademark application was pending and it had no constructive knowledge of unregistered rights because the Complainant’s claim to an unregistered mark was not widely publicized in its jurisdiction.

The First Respondent proposes an amicable solution whereby a visible disclaimer is added to the website associated with the disputed domain name concerned, and the site is redesigned to distinguish it from the Complainant’s official platform, together with voluntary transfer of the disputed domain name concerned if deemed necessary.

### **C. Second Respondent**

The Second Respondent’s contentions appear to relate to the disputed domain name <revanced.net>, although the Panel notes that on all occasions where it might have referenced “the domain name” or “the disputed domain name”, it did so in the plural form, i.e., “the domain names”, or “the disputed domain names”. The Panel will endeavor to reproduce the Second Respondent’s choice of the plural form in summarizing its contentions.

The Second Respondent categorically denies any connection to <revanced.dev> or its operator, adding that the latter previously contacted the Second Respondent by email requesting technical assistance, which help was then provided as a good faith effort to support the community. The Second Respondent submits that the fact that both disputed domain names may use similar layouts or configurations is due to its commitment to open-source principles.

The Second Respondent points out that the Complainant’s application for a registered trademark is still pending, adding that the disputed domain name <revanced.net> was registered on April 1, 2022, over two and a half years before the filing of the said trademark application. The Second Respondent acknowledges that the disputed domain name may be considered confusingly similar to the Complainant’s claimed mark but contests the second and third elements of the Policy.

The Second Respondent states that it has rights and legitimate interests in the disputed domain names because they have been used in connection with a bona fide offering of goods and services since 2022, by maintaining and developing software tools distinct from the Complainant’s offerings, with the Second Respondent’s application focusing on download and installation functionality for less technically savvy users, adding that this fulfills a legitimate and previously unaddressed need in the community for which there was significant demand, this being a complimentary rather than a competitive role regarding the Complainant’s

offering which has expanded the overall userbase. The Second Respondent notes that its software is open source, developed with community input, being a collaborative and transparent approach demonstrating legitimate interest and good faith.

The Second Respondent indicates that the website associated with the disputed domain name concerned displays multiple disclaimers in relevant places stating that it is not the official “ReVanced” project and maintaining proper attribution thereto. The Second Respondent also notes that its GitHub repository also contains a disclaimer stating that it is not affiliated with, endorsed by, or connected to the official “ReVanced” project.

The Second Respondent notes that the disputed domain name <revanced.net> was registered very early in the development of the technology space, and well before the Complainant’s trademark application was filed, adding that it has consistently developed its software since then, with a clear focus on different functionality from the official project, indicating that there was no intent to target the Complainant’s rights. The Second Respondent indicates that the functional differentiation between its software and that of the Complainant represents a legitimate market segmentation that enhances rather than competes with the Complainant’s ecosystem.

The Second Respondent states that its GitHub repositories and website acknowledge “the inspiration for the software” but promote and direct users to the official “ReVanced” sources, adding that its website includes a dedicated donation page directing users to support the official team, demonstrating respect for the Complainant and not an intention to divert revenue. The Respondent acknowledges that it has provided inaccurate registration information and explains that this is due to privacy concerns in Viet Nam rather than for any deceptive purpose.

The Second Respondent proposes to further enhance the visibility and prominence of its disclaimers, to add explicit statements clarifying the independent nature of the services, to collaborate with the Complainant to ensure that coexistence benefits users and that the Complainant’s brand is respected, and if necessary, asks to be permitted a six month transitional period to move to alternative branding in order to prevent disruption to the “hundreds of thousands of end users” who rely on its tools.

## **6. Discussion and Findings**

### **6.1 Procedural Consideration: Second Respondent’s Late Response**

The Second Respondent filed its redacted Response by email on April 16, 2025. This was two days after the due date for Response. However, the Panel notes that the Second Respondent stated that it had been attempting to file its Response via the online platform “over the past few days” without success in an email to the Center on the Response due date. Moreover, the unredacted version (claimed sensitive personal information) of Response was received on April 14, 2025, which was within the Response due date. Ultimately, in correspondence with the Center, the Second Respondent was able to file its redacted Response successfully by email. Due to the fact that the Second Respondent had attempted to file the Response timeously, and that the successful filing was only two days late, the Panel will admit its Response.

### **6.2 Procedural Consideration: Consolidation of Multiple Respondents**

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The Respondents have indicated they are opposed to the Complainant’s request, denying any connection between them in the case of the First Respondent, and admitting only to a brief collaboration in the case of the Second Respondent. The essence of the Respondents’ explanation as to the obvious similarities between the websites associated with the disputed domain names is that these result from the websites originating from the same open-source material.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See [WIPO Overview 3.0](#), section 4.11.2.

As regards common control, the Panel notes that while the registrants are nominally different, the websites associated with the disputed domain names are virtually identical, and according to the Complainant's uncontradicted evidence, they share the same analytics log. The Panel does not accept that the mere similarity of the open-source software, on which the Respondents' software is allegedly based, would give rise to the kind of near identical text shown on the archived versions of the websites associated with the disputed domain names. Equally, offering software based on a common source would not give rise to an identical donation button linking to the same, now discontinued, donation page, particularly as the website associated with the disputed domain name <revanced.dev> linked to a page which, upon arrival, referenced the disputed domain name <revanced.net> rather than making reference to <revanced.dev>.

Of considerable significance to the Panel is the fact that the core properties of the pdf document which contained the Second Respondent's Response showed that its author was "Linh Le", i.e., the First Respondent. The Panel cannot conceive of how this could have happened unless the Respondents are linked, despite their denials. For example, it could not have occurred merely because the Second Respondent based its Response upon an extracted version of the First Respondent's Response (if indeed it had done so) because the core properties of the First Respondent's Response are blank and do not specify authorship. Crucially, it could not have happened by coincidence.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as "the Respondent" unless the context otherwise indicates) in a single proceeding. The detail of both Responses will be taken into account.

### **6.3 Procedural Consideration: Parties' supplemental filings**

Paragraph 12 of the Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case. Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel. Panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some "exceptional" circumstance). [WIPO Overview 3.0](#), section 4.6.

In the present case, the Panel does not consider it necessary to admit the Parties' respective unsolicited supplemental filings as they largely take the form of an exchange of opinions by informal emails which do not expand the Panel's understanding of matters to any appreciable extent, whereas the Parties' detailed formal filings contain sufficient information, in the Panel's opinion, to allow the Panel to determine the case.

### **6.4 Substantive Issues**

#### **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 3.0](#), section 1.7.

As the Parties appreciate in their respective submissions, the Complainant's pending trademark application does not, by itself, establish trademark rights within the meaning of the Policy. [WIPO Overview 3.0](#), section 1.1.4.

However, the Complainant also claims unregistered trademark rights in the mark REVANCED. The Complainant produced considerable evidence, described in the factual background section above, of the popularity of its open-source software products which are offered under this mark, establishing that the Complainant has created a substantial following and a sizeable Internet community on the applicable social media platforms, and can also show notoriety arising from independent media coverage of its software. As stated in the [WIPO Overview 3.0](#), section 1.3, with regard to brands acquiring relatively rapid recognition due to a significant Internet presence, panels have also been considering factors such as the type and scope of market activities and the nature of the complainant's goods and/or services.

Here, the evidence shows that the offering provided by the Complainant is of a kind which can lead to rapid and enthusiastic uptake by the online community, namely an open-source technology made available on the Internet for immediate download and installation, which provides a solution for patching Android applications. Consequently, although the Complainant's brand has only been in operation for a comparatively short period, it is more likely than not to have benefitted from a rapid increase in popularity from shortly after launch, which will have propelled the REVANCED mark into the consciousness of those users of Android who are interested in making modifications to that operating system (including, it would appear, the Respondents). The inference of rapid uptake and popularity made by the Panel here is further supported by the demonstrated extent of the Complainant's substantial online community membership, bearing in mind that those users who make modifications to their operating systems typically operate within online communities and platforms, such as those selected by the Complainant, in which a favored application may "go viral", i.e., gain notoriety and traction, in a relatively short space of time.

The Panel finds the Complainant has established unregistered trademark or service mark rights for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3.

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

The Top-Level Domain suffixes in respect of the disputed domain names, here, ".dev" and ".net" respectively, are typically disregarded under the first element test. [WIPO Overview 3.0](#), section 1.11.1.

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 names. The nature of the Respondent's rebuttal case is that the Respondent is making fair use of the Complainant's mark to offer software with an improved installation experience, and/or to provide educational resources.

Accordingly, the Panel will consider the disputed domain names and their associated websites according to the core factors which panels under the Policy typically consider when faced with a claim of fair use of a domain name. [WIPO Overview 3.0](#), section 2.5. These are grouped into sections considering the nature of the disputed domain name on its own, [WIPO Overview 3.0](#), section 2.5.1, circumstances beyond the disputed domain name itself including website content and any other overall facts and circumstances, [WIPO Overview 3.0](#), section 2.5.2, the issue of any commercial activity identified in terms of the disputed domain name, [WIPO Overview 3.0](#), section 2.5.3, and where appropriate, criticism sites, [WIPO Overview 3.0](#), section 2.6, or fan sites, [WIPO Overview 3.0](#), section 2.7.

Beginning with the composition of the disputed domain names, panels under the Policy have found that domain names that are identical to a complainant's trademark carry a high risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1. That is the situation here. Internet users seeing the Complainant's unadorned REVANCED mark in the second level of the disputed domain names will assume that they are official domain names of the Complainant's project. The Respondent attempts to argue with regard to the disputed domain name <revanced.dev> in particular that the suffix ".dev" in some way implies a non-official status but it provided no evidence to support this assertion. The Panel sees ".dev" as no different from any other domain name suffix, noting that it is the unadorned use of the Complainant's mark in both disputed domain names that gives rise to the risk of implied affiliation, and not the suffix itself. Insofar as there is any significance to ".dev", the Panel notes from the corresponding registry that it is intended as a secure domain for developers and technology, which, if it does anything, increases the risk of implied affiliation between the disputed domain names and the Complainant, given that (as acknowledged by the Parties) the Complainant is the originator of the official software under the REVANCED mark.

Turning to the use of the disputed domain names, the Panel notes that the corresponding websites feature download links to software using the exact name of the Complainant's software, including the REVANCED mark. While the Respondent claims that it is making these downloads available to enhance the user experience, it is nevertheless effectively cloaking itself in the identity (or giving itself the apparent imprimatur) of the Complainant when it has no right to do so. While disclaimers are present on the websites associated with the disputed domain names, these are in no way prominent, as the Respondent acknowledges by way of its own proposal in the Response to create more prominent disclaimers than those presently shown. The Panel notes in particular, based upon the archived versions of the websites associated with the disputed domain names, that the disclaimers appear well below the download links to the Respondent's software (using names matching the Complainant's software) whereby the typical Internet user searching for the Complainant's software may simply select the download link without reading further. Such a user would have to read on carefully, lower down the page, to find the disclaimer concerned. In the case of many android devices, monitors and screen resolutions, the disclaimer would be "below the fold", i.e., requiring scrolling to read. The presence of such a disclaimer would not by itself confer rights or legitimate interests upon the Respondent. In conclusion, if the Respondent wishes to provide an enhanced user experience for the Complainant's software (aside from any copyright issues that are beyond the scope of this proceeding) it cannot claim rights and legitimate interests in the disputed domain names if, in offering its software, it does so in a manner where it will be assumed to be the Complainant, or to be sponsored or endorsed by the Complainant, due to the initially unqualified or unadorned presence of the REVANCED mark on the corresponding website. This cannot amount to fair referential use of such mark.

Considering the question of commercial use, whether or not the Respondent today invites Internet users to donate to the Complainant's official REVANCED project, it is clear from the archived versions of the websites associated with the disputed domain names that the Respondent selected a donate link whereby it would benefit personally from donations. Although this matter was put to the Respondent in the Complaint, it has failed to explain why it considered itself entitled to benefit in this way. As far as the Panel is concerned, this is a commercial use, which amounts to free riding on the Complainant's goodwill and unregistered trademark rights in order to make a commercial gain. It cannot, in the Panel's view, be regarded as constituting fair use within the parameters of the Policy. The Panel notes for completeness that it does not regard the websites associated with the disputed domain names as fan sites, as discussed by the [WIPO Overview 3.0](#), section 2.7, given the commercial activity in which the Respondent has engaged, nor are they criticism sites.

Based upon the totality of its analysis above, the Panel finds that the Respondent is not making fair use of the disputed domain names. It follows that the Respondent has not rebutted the Complainant's prima facie case that it has no rights or legitimate interests in the disputed domain names.

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 Respondent has registered disputed domain names that are identical to the Complainant's REVANCED mark. It is clear from the Parties submissions that the Respondent did so in order to make reference to the Complainant's software, as is also demonstrated by the use of exactly the same names as used in such software on the websites associated with the disputed domain names. The Respondent notes that the disputed domain name <revanced.net> was created on April 1, 2022, which is very close to the launch date of the Complainant's official "ReVanced" project. The Respondent says that it was unaware of the existence of the Complainant's unregistered REVANCED trademark at the material date (which may be relevant to the question of whether it registered the disputed domain name in good or bad faith). However, the Respondent does not actually argue that the Complainant's mark was not in existence by that date.

Importantly, the Parties implicitly accept that the Respondent was making reference to the Complainant's software, as corroborated by its choice of exactly the same name, "ReVanced Manager" on the websites associated with the disputed domain names. The Panel considers that the Respondent was deliberately taking unfair advantage of the rights which the Complainant had generated in its REVANCED mark in the relatively short interval between the project launch and the registration date of the disputed domain name <revanced.net>. As noted in the preceding sections of this Decision, it is in the nature of such online offerings that they are capable of gaining rapid notoriety within the relevant community, which is what the Panel considers happened here. Consequently, the proximity in date between the project launch and the registration date of the disputed domain name <revanced.net> does not indicate registration in good faith in and of itself. No such considerations are relevant to the disputed domain name <revanced.dev>, which was registered at a much later date.

It is clear to the Panel that the disputed domain names make the representation to Internet users that they are affiliated to the Complainant's project. This representation is further enhanced by the websites associated with the disputed domain names which offer similarly named software for downloading, even if they contain disclaimers lower down the website copy or elsewhere on the site. The Respondent's cloaking of itself in the Complainant's identity in this manner cannot be regarded as a good faith use of the disputed domain names, particularly when the related websites originally included a solicitation of donations for the Respondent's personal benefit (albeit since discontinued).

The Respondent suggests that the open-source nature of the Complainant's software somehow entitles it to take the actions which it has described and documented in the Annexes to the Responses with regard to the disputed domain names. This represents at best a misunderstanding and at worst a deliberate distortion of what it means for software to be open source. While the software's code may be freely available to the community, and while in certain cases the community may develop it further and/or make suggestions for improvement, the mere fact it is open source does not entitle third parties such as the Respondent to take on the identity of the project owner for their own commercial gain, where, as here, the project owner has established (for Policy purposes) that it has an unregistered trademark in respect of such identity.

The Respondent makes much of its disclaimers as found on the websites associated with the disputed domain names. The Panel has noted above its opinion that the disclaimers are insufficiently prominent to avoid Internet user confusion, to which must be added the Complainant's evidence from an online discussion that an Internet user has actually been confused by the website associated with the disputed domain name

<revanced.net> (noting that as the website associated with the disputed domain name <revanced.dev> is in substantially the same terms, it is likely to cause similar confusion to Internet users). It cannot be overlooked that the presence of the Complainant's unadorned REVANCED unregistered mark in the disputed domain names makes such a strong representation of affiliation on its own, so that it would be very difficult for this to be corrected by even the clearest and most prominent disclaimer on the associated websites. In any event, where, as here, the overall circumstances of a case point to the respondent's bad faith, the mere existence of a disclaimer cannot cure such bad faith. In such cases, panels may consider the respondent's use of a disclaimer as an admission by the respondent that users may be confused. [WIPO Overview 3.0](#), section 3.7.

In addition to the above considerations arising from the registration and use of the disputed domain names, the Panel notes that the Respondent's attempts to deny that there is any link between the nominally different respondents in this case must also be factored into the question of bad faith. Both Responses categorically denied that the Respondents had any link to one another (although in a partly contradictory aspect, one actually admitted a form of collaboration). However, the author of the Second Respondent's Response is stated in the meta data of the PDF document submitted to the Center to be the First Respondent. This fact must taint the credibility of the Respondents' assertions as a whole, not only as regards consolidation of the Complainant's respective Complaints (as discussed above) but also as regards the other submissions and, in particular, the assertions of good faith which are made in the two Responses.

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 <revanced.dev> and <revanced.net> be transferred to the Complainant.

*/Andrew D. S. Lothian/*

**Andrew D. S. Lothian**

Sole Panelist

Date: May 15, 2025