

ADMINISTRATIVE PANEL DECISION

Animation Block LLC v. Bryan Fordney
Case No. D2025-0987

1. The Parties

Complainant is Animation Block LLC, United States of America ("United States"), represented by Hayes Soloway P.C., United States.

Respondent is Bryan Fordney, United States, represented by Bekiares Eliezer LLP d/b/a Founders Legal, United States.

2. The Domain Name and Registrar

The disputed domain name <blockpartyanimation.com> (hereinafter "Disputed Domain Name") is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 11, 2025. On March 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On March 12, 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 Complainant on March 14, 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 18, 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 Respondent of the Complaint, and the proceedings commenced on March 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 8, 2025. The Response was filed with the Center on April 7, 2025.

The Center appointed Lawrence K. Nodine as the sole panelist in this matter on April 22, 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

In 2004, Complainant began using the service marks ANIMATION BLOCK PARTY and ANIMATION BLOCK (hereafter collectively the “Marks”) in connection with the screening of animation films at festivals. Complainant’s activities have grown over the years and it now makes animated programming available through television, download, or streaming.

Complainant owns three United States Trademark Registrations:

- Registration Number. No. 3,883,048 (registered November 30, 2010) for ANIMATION BLOCK PARTY;
- Registration Number 3,065,925 (registered March 7, 2006) for ANIMATION BLOCK
- Registration Number 7,172,372 (registered September 26, 2023) for ANIMATION BLOCK

Since 2004, Complainant has owned¹ and used the domain <animationblock.com> to promote its services. Complainant also owns the domain <animationblockparty.com>,² which redirects to Complainant’s <animationblock.com>.

The Disputed Domain Name was registered May 19, 2024. Respondent Bryan Fordney is the husband of Fatimah Abdullah, who is the founder of the company operating and using the Disputed Domain Name. As most of Respondent’s evidence relates to Fatimah Abdullah, all references in this decision to “Respondent” refer to Ms. Abdullah.

On February 19, 2025, Complainant sent a letter notifying Respondent of its trademark rights and instructing Respondent to cease infringement. On that date, the Disputed Domain Name did not yet resolve to an active website, but on a screenshot captured on March 6, 2025, the website associated with the Disputed Domain Name promotes Respondent’s animation creation services: “We’re animation producers who develop, plan and produce animation content.”

On March 6, 2025, counsel for Respondent denied infringement in a letter responding to Complainant’s February 19 cease-and-desist letter.

On February 28, 2025, Respondent filed an Intent-to-Use application to register BP BLOCK PARTY as Respondent’s trademark.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Disputed Domain Name.

Notably, Complainant contends that it is well known. As evidence of its notoriety, Complainant submits:

- A Wall Street Journal article published on July 29, 2013, stating that Complainant’s ANIMATION BLOCK PARTY event is a “weekend-long animated film festival that screens films and television

¹ Complainant registered <animationblock.com> on September 14, 2004.

² Complainant registered this domain on November 19, 2004.

shows from the world's largest animation studios, including Nickelodeon, Cartoon Network and Pixar, as well as work from independent animation studios and DIY animators.

- An article published on July 20, 2017 by The New Yorker announced the 14th year of Complainant's ANIMATION BLOCK PARTY film festival and refers to it as "the largest animation festival on the East Coast."
- A July 23, 2018, publication by amNY refers to Complainant's ANIMATION BLOCK PARTY film festival as "the East Coast's biggest animation festival."
- An article published on February 17, 2015, by IndieWire observes that Complainant participated in the "2015 Brooklyn Brewery Mash Tour" where Complainant presented highlights from its film festival in several large cities across the United States and at least one international location.

Complainant also contends that Respondent had actual knowledge of Complainant's rights. Complainant submits evidence of a LinkedIn exchange that occurred around February 14, 2025, when an employee of Respondent announced on LinkedIn that "I've joined on the ground floor of Atlanta's newest studio, Block Party." Her title was listed as "Head of Production/Block Party Animation." A few weeks later, a LinkedIn connection responded with congratulations, but added: "Can't hear the name and not think of Animation Block Party out of Brooklyn-y'all in cahoots by chance.? I was the Festival Manager there for three years; great folks there too!" Respondent Fatimah Addullah responded: "Hi! Cahoots in spirit for sure #AnimationAgenda We'd love to connect with them in real time!" Complainant contends that Ms. Abdullah's response is evidence that she had actual knowledge of Complainant.

B. Respondent

Respondent contends that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the Disputed Domain Name.

Respondent contends that the Disputed Domain Name is not likely to be confused with Complainant's Marks and that its services are distinguishable: Complainant produces events featuring animation; Respondent produces animation content.

Invoking Policy paragraph 4(c)(1), Respondent contends that she made demonstrable preparations to use the Disputed Domain Name before she received notice of the dispute on February 19, 2025. More specifically:

- On August 6, 2024, Respondent registered BLOCK PARTY ANIMATION LLC with the Georgia Secretary of State;
- In November 2024, Respondent asked (via email submitted as evidence) a third-party vendor to help design a logo for BLOCK PARTY Animation;
- On or about February 14, 2025, a new employee of Respondent announced on LinkedIn her new position as "Head of production/ Block Party Animation."

Respondent also denies bad faith registration supported by a declaration attesting "under penalty of perjury" that "I had never heard of Complainant (Animation Block) prior to February 2025."

Respondent's declaration also states, presumably in error, that: "I purchased the domain animationblockparty.com in May 2024."

With respect to the "in cahoots" comment, Respondent argues that the comment is "weak" and, in any event, the comment was made in 2025 long after the Disputed Domain Name was registered in May 2024.

Respondent denies that Complainant is well known.

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 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 for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the Marks are recognizable within the Disputed Domain Name. More specifically, Complainant's ANIMATION BLOCK PARTY service mark is recognizable within the Disputed Domain Name <blockpartyanimation.com>. The transposition of "animation" from the first to the third word in the Disputed Domain Name does not prevent a finding of confusing similarity under the Policy. The Panel notes that Respondent's own declaration confuses the Parties' domain names. Respondent declares, presumably in error, that "I purchased the domain animationblockparty.com in May 2024." In addition, the entirety of Complainant's ANIMATION BLOCK Marks are also recognizable within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the Marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

The Panel finds that, before Respondent received notice of the dispute on February 19, 2025, Respondent made demonstrable preparations to use the Disputed Domain Name in connection with a bona fide offering of services. [WIPO Overview 3.0](#), section 2.2. Although the Panel considers with cautious skepticism corporate registration evidence,³ it is relevant that Respondent registered "Block Party Animation" as a Limited Liability Corporation on August 6, 2024. This evidence is corroborated by Respondent's communication in November 2024 with a logo designer about Respondent's plans to launch her company under the name ANIMATION BLOCK PARTY. Respondent also hired a new employee who stated in a LinkedIn posting on or about February 14, 2025, that her position was "Head of Production/Block Party Animation." This activity persuades the Panel that Respondent made "demonstrable preparations" to use the Disputed Domain Name before she received notice of this dispute. Policy paragraph 4(c)(i).

The Panel finds the second element of the Policy has not been established.

C. Registered and Used in Bad Faith

The evidence in the case file as presented does not indicate that Respondent's aim in registering the Disputed Domain Name was to profit from or exploit Complainant's trademark.

Although Complainant has submitted substantial evidence that it is well known as a prominent source of animation festivals, Respondent has submitted a declaration that she "had never heard of" Complainant before February 2025. Although this may be questioned given that Respondent advertises her 20 years of experience in the field, and Complainant was recognized by The New Yorker magazine as "as the largest animation festival on the East Coast," Respondent's declaration "under penalty of perjury" is sufficient to tilt the balance of evidence in her favor in these proceedings. Respondent's ambiguous "in cahoots" remark, which she made in 2025, does not qualify as an admission that she was aware of Complainant when she registered the Disputed Domain Name almost a year earlier.

³ "[A]s has frequently been observed in cases under the Policy, the mere incorporation of a company with a name corresponding to a domain name does not typically, on its own, lead to a finding of rights and legitimate interest under the Policy." *SAP SE v. SAP Plus LLC*, WIPO Case No. [D2024-3209](#).

This decision should not be construed as a comment on the merits of a trademark infringement action under the Lanham Act or any applicable state law.

The Panel finds the third element of the Policy has not been established.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Lawrence K. Nodine/

Lawrence K. Nodine

Sole Panelist

Date: May 13, 2025.