

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Xue xou
Case No. D2025-1600

1. The Parties

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

Respondent is Xue xou, Taiwan Province of China.

2. The Domain Name and Registrar

The disputed domain name <onlyfansx.top> is registered with Domain International Services Limited (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on April 21, 2025. On April 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23 and May 1, 2025, the Registrar transmitted by emails 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) and contact information in the Complaint. The Center sent an email communication to Complainant on May 3, 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 in English on May 8, 2025.

On May 3, 2025, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On May 8, 2025, Complainant requested English to be the language of the proceeding. Respondent did not submit any comment on Complainant's submission.

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 in Chinese and English of the Complaint, and the proceedings commenced on May 9, 2025. In accordance with the Rules, paragraph 5, the due date for the Response was May 29, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on June 4, 2025.

The Center appointed Yijun Tian as the sole panelist in this matter on June 10, 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

A. Complainant

Complainant owns and operates the website located at the domain name <onlyfans.com>, which for several years has offered a social media platform allowing users to post and subscribe to audiovisual content on the World Wide Web (Annex B to the Complaint).

Complainant has rights in the ONLYFANS and ONLYFANS-related marks. Complainant is the owner of numerous ONLYFANS-related trademarks worldwide, including the European Union ("EU") trademark ONLYFANS registered on January 9, 2019 (the EU Trademark registration number 017946559), the USA trademark ONLYFANS.COM registered on June 4, 2019 (the USA Trademark registration number 5,769,268), and the United Kingdom ("UK") trademark ONLYFANS registered on January 9, 2019 (the UK Trademark registration number UK00917912377) (Annex C to the Complaint).

Complainant also owns the domain name <onlyfans.com> (registered on January 29, 2013), which hosts its official website. As of 2025, <onlyfans.com> is among the most popular websites in the world, with over 305 million registered users.

B. Respondent

Respondent is Xue xou, Taiwan Province of China.

The disputed domain name was registered by Respondent on September 8, 2024. According to the Complaint and the evidence provided by Complainant, the disputed domain name previously resolved to a website prominently displaying a ONLYFANS logo, and featuring pornographic content (Annex D to the Complaint).

5. Parties' Contentions

A. Complainant

Complainant contends that the disputed domain name is legally identical – or, at the very least, confusingly similar to Complainant's ONLYFANS trademark. The disputed domain name incorporates the ONLYFANS trademark in its entirety, with the sole addition of the letter "x" following the mark. This minor addition does not dispel the confusing similarity between the disputed domain name and Complainant's trademark.

Complainant contends that Respondent has no rights or legitimate interests in respect of the disputed domain name.

Complainant contends that Respondent registered and uses the disputed domain name in bad faith.

Complainant requests that the disputed domain name be transferred to it.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

6.1 Language of the Proceeding

The language of the Registration Agreements for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

From the evidence presented on the record, no agreement appears to have been entered into between Complainant and Respondent to the effect that the language of the proceeding should be English. Complainant filed initially its Complaint and amended Complaint in English, and has requested that English be the language of the proceeding for the following main reasons:

- (a) Substantial additional expense and delay would result if the Complaint were required to be translated into another language, creating an unfair procedural burden on Complainant.
- (b) There is evidence Respondent understands English, as reflected by its registration of a domain name incorporating English-language terms.
- (c) Respondent has not objected to the use of English in these proceedings and was given a fair opportunity to do so.

Respondent did not make any submissions with respect to the language of the proceeding.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time and costs (see WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (["WIPO Overview 3.0"](#)), section 4.5.1).

On the record, Respondent appears to be located in Taiwan Province of China and thus presumably not a native English speaker, but considering the following aspects, the Panel has decided that the language of the proceeding shall be English: (a) the disputed domain name is registered in Latin characters, particularly English words (e.g. "only" and "fans"), rather than Chinese script; (b) the generic Top-Level Domain ("gTLD") of the disputed domain name is ".top", so the disputed domain name seems to be prepared for users worldwide, particularly English speaking countries; (c) Center has notified Respondent of the language of the proceeding in both Chinese and English, and Respondent has indicated no objection to Complainant's request that English be the language of the proceeding; (d) the Center also notified Respondent in both Chinese and English of the Complaint, and informed Respondent that it would accept a Response in either English or Chinese, but Respondent chose not to file any Response.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English.

6.2 Substantive Issues: Three Elements

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 3.0](#), section 1.7.

Based on the available record, the Panel finds 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 Complainant's ONLYFANS 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.

While merely adding the letter "x" as the suffix may bear on the assessment of the second and third elements, the Panel finds the addition of such a letter 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.

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 Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. 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 record, the Panel finds 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.

More specifically:

(i) there has been no evidence adduced to show that Respondent has used the disputed domain name in connection with a bona fide offering of goods or services. Respondent has not provided evidence or reasons to justify the choice of the term "only fans" which is identical to Complainant's ONLYFANS trademark in the disputed domain name. There has been no evidence to show that Complainant has licensed or otherwise permitted Respondent to use the ONLYFANS trademark or to apply for or use any domain name incorporating the ONLYFANS marks;

(ii) there has been no evidence adduced to show that Respondent has been commonly known by the disputed domain name. There has been no evidence adduced to show that Respondent has any registered trademark rights with respect to the disputed domain name. Respondent registered the disputed domain name on September 8, 2024, after the ONLYFANS mark was registered in the UK and the EU (since 2019).

The disputed domain name is confusingly similar to Complainant's ONLYFANS marks; and

(iii) there has been no evidence adduced to show that Respondent was making a legitimate noncommercial or fair use of the disputed domain name. By contrast, the disputed domain name was previously resolved to a website prominently displaying a ONLYFANS logo, and containing pornographic content (see Annex D to the Complaint). It seems that Respondent has possibly made profits through the Internet traffic attracted to the websites under the disputed domain name. (See *BKS Bank AG v. Jianwei Guo*, WIPO Case No. [D2017-1041](#); *BASF SE v. Hong Fu Chen, Chen Hong Fu*, WIPO Case No. [D2017-2203](#).) Further, the disputed domain name is currently inactive.

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 Respondent has registered and used the disputed domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Based on the information provided by Complainant, the Panel finds that Complainant has a reputation in the ONLYFANS marks with regard to its products and services. It is not conceivable that Respondent would not have had Complainant's trademark in mind at the time of the registration of the disputed domain name (in September 2024). This has been reinforced by the facts that the disputed domain name incorporates Complainant's ONLYFANS trademark entirely (merely adding the letter "x" as the suffix), and that the disputed domain name resolved to a website prominently displaying a ONLYFANS logo.

According to the Complaint, the disputed domain name was previously resolved to website featuring pornographic content (as introduced above). Pursuant to paragraph 4(b)(iv) of the Policy, such use falls plainly within the non-exhaustive list of examples of registration and use in bad faith, namely using the confusingly similar disputed domain name with the intention to attempt to attract, for commercial gain, Internet users to Respondent's website by creating a likelihood of confusion with Complainant's mark. Having reviewed the records, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Based on the available record, the Panel finds the third element of the Policy has been established.

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 <onlyfansx.top> be transferred to Complainant.

/Yijun Tian/

Yijun Tian

Sole Panelist

Date: June 27, 2025