

## **ADMINISTRATIVE PANEL DECISION**

Fenix International Limited v. PP PP, Guangzhou Soon Master Technology Co., Ltd

Case No. D2025-1623

### **1. The Parties**

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

The Respondent is PP PP, Guangzhou Soon Master Technology Co., Ltd, Hong Kong, China.

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

The disputed domain name <onlyfansleaky.com> is registered with Amazon Registrar, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 22, 2025. On April 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 25, 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 (On behalf of onlyfansleaky.com owner Identity Protection Service) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 29, 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 amendment to the Complaint on April 29, 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 May 1, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 21, 2025.

The Respondent sent an email communication to the Center on May 6, 2025. Upon request of the Complainant, the proceeding was suspended on May 6, 2025, and reinstituted on June 17, 2025.

The Center appointed Olga Zalomiy as the sole panelist in this matter on June 23, 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 the owner and operator of the website located at the domain name <onlyfans.com> that is used in connection with the provision of a social media platform that allows users to post and subscribe to audiovisual content on the World Wide Web. The Complainant owns several trademark registrations for the ONLYFANS trademarks, such as:

- The European Union trademark registration No. 017946559 for the word mark ONLYFANS, registered on January 9, 2019.
- The European Union trademark registration No. 017912377 for the word mark ONLYFANS, registered on January 9, 2019.
- The United States trademark registration No. 5769267 for the word mark ONLYFANS, registered on June 4, 2019.

The Respondent registered the disputed domain name on August 28, 2024. The disputed domain name directs to a website offering adult entertainment services in competition with the Complainant's services.

The Respondent's May 6, 2025 email expressed willingness to cancel the disputed domain name and stated that the content of the website associated with the disputed domain name would be removed. Based on this, the Complainant requested a suspension of the proceedings on the same day. However, following the suspension, the Complainant was unable to reestablish contact with the Respondent.

#### **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 the disputed domain name is identical or confusingly similar to the Complainant's trademarks because the only difference between the disputed domain name and the trademark is the insertion of the descriptive term "leaky" after the Complainant's trademark, which does nothing to avoid confusing similarity. According to the Complainant, the use of the generic Top-Level Domain ("gTLD") ".com" does not change the result because the gTLD is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test.

The Complainant asserts that the Respondent has neither rights nor legitimate interests in the disputed domain name because the Respondent has no connection or affiliation with the Complainant and has not received any authorization, license, or consent, whether express or implied, to use the Complainant's trademarks in the disputed domain name or in any other manner. The Complainant alleges that the Respondent is not commonly known by the ONLYFANS trademarks and does not hold any trademarks for the disputed domain name. The Complainant argues that the Respondent is not making noncommercial or fair use of the disputed domain name because the Respondent is using the disputed domain name to direct to a website offering adult entertainment services in competition with the Complainant's services. In the Complainant's view, the Respondent's use of the disputed domain name creates a risk or implied affiliation with the Complainant.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant argues that the Respondent registered the disputed domain name in bad faith because of

the following reasons: 1) the disputed domain name was registered long after the Complainant registered its trademarks and obtained common law rights in the ONLYFANS trademarks; 2) the disputed domain name is confusingly similar to the Complainant's well-known trademark; and 3) the disputed domain name includes the Complainant's mark and an additional word that suggests affiliation or authorization of the website under the disputed domain name with or by the Complainant. The Complainant asserts that the bad faith use of the disputed domain name should be found given the Complainant had well-recognized rights years before the Respondent registered the disputed domain name. The Complainant further alleges that the Respondent is using the disputed domain name to attract, for commercial gain, Internet users to the Respondent's website by creating likelihood of confusion with the Complainant's mark as to the source, affiliation, or endorsement of the disputed domain name. The Complainant argues that the Respondent is using the disputed domain name in bad faith because it is using the disputed domain name to divert Internet traffic from the Complainant's site to a website offering adult entertainment content (including content advertised as pirated from the Complainant's users) in direct competition with the Complainant's website.

## **B. Respondent**

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

## **6. Discussion and Findings**

Pursuant to paragraph 4(a) of the Policy, to succeed in this proceeding, the Complainant must prove each of the following elements with respect to the disputed domain name:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

### **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 ONLYFANS 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. The inclusion of the gTLD ".com" is typically disregarded in the context of the confusing similarity assessment, being a technical requirement of registration. [WIPO Overview 3.0](#), section 1.11.1.

Although the addition of other terms here, "leaky" 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.

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 Panel concludes that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent’s communication dated May 6, 2025, in which the Respondent consents to cancellation of the disputed domain name and promised to delete content of the website association with the disputed domain name indicates the Respondent’s lack of rights or legitimate interests. The evidence shows that the Respondent is not commonly known by the disputed domain name. Nor has it been granted permission by the Complainant to use the Complainant’s trademark in the disputed domain name. Finally, the Respondent is neither engaging in legitimate noncommercial or fair use of the disputed domain name, nor offering bona fide goods or services, as the disputed domain name points to a website that offers services similar to the Complainant’s services and falsely suggests an affiliation with the Complainant.

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 registered the disputed domain name incorporating the Complainant’s ONLYFANS trademark and the term “leaky” many years after the Complainant’s first trademark registration. Noting the disputed domain name composition, the Respondent’s lack of rights or legitimate interests in the disputed domain name, the absence of a credible explanation for choosing the disputed domain name, the Respondent’s use of the Complainant’s trademark on the website offering the same services as those of the Complainant, indicate that the disputed domain name was registered in bad faith.

The UDRP establishes that, for purposes of paragraph 4(a)(iii), bad faith registration and use of a domain name can be established by a showing of circumstances indicating that the respondent is using the domain name to intentionally attempt to attract, for commercial gain, Internet users to the respondent’s website or other online location, by creating a likelihood of confusion with the complainant’s mark as to source, sponsorship, affiliation or endorsement of the respondent’s website or location, or of a product or service on the respondent’s website or location. See Policy, paragraph 4(b)(iv).

Prior UDRP panels have found “the following types of evidence to support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant’s mark: (i) actual confusion, (ii) seeking to cause confusion (including by technical means beyond the domain name itself) for the respondent’s commercial benefit, even if unsuccessful, (iii) the lack of a respondent’s own rights to or legitimate interests in a domain name, [...] (vi) absence of any conceivable good faith use.” [WIPO Overview 3.0](#), section 3.1.4.

Here, the Respondent who has no rights to or legitimate interests in the disputed domain name, registered the disputed domain name that incorporates the Complainant's trademark together with the term "leaky" to direct Internet users to a website that offers adult entertainment services. The only information about the owner of the website is that "ONLYFANSLEAKY" owns copyrights to the website content. Such use creates an impression of a website associated with the Complainant. Therefore, the Panel concludes that the Respondent registered and is using the disputed domain name to intentionally attempt to attract, for commercial gain, Internet users to the Respondent's website or other online location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of the Respondent's website or location, or of a product or service on the Respondent's website or location.

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 <onlyfansleaky.com> be transferred to the Complainant.

*/Olga Zalomiy/*

**Olga Zalomiy**

Sole Panelist

Date: June 27, 2025