

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Kamini Toor
Case No. D2025-1696

1. The Parties

The Complainant is Fenix International Limited c/o Walters Law Group, United States of America (“US”).

The Respondent is Kamini Toor, India.

2. The Domain Names and Registrar

The disputed domain names <onlyfansdiva.shop>, <onlyfansleakshub.shop>, and <onlyfanssneakpeeks.shop> are registered with Spaceship, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 27, 2025. On April 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 29, 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, Privacy service provided by Withheld for Privacy ehf) 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 2, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 22, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 26, 2025.

The Center appointed Rebecca Slater as the sole panelist in this matter on June 3, 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 owns and operates a website located at the domain name <onlyfans.com>, which it uses to provide a social media platform that allows users to post and subscribe to audiovisual content. The Complainant was established in 2016 and is headquartered in the United Kingdom. The Complainant's website is one of the most popular in the world, with over 350 million registered users.

The Complainant has a portfolio of registrations for the ONLYFANS trade mark across multiple jurisdictions, including European Union trade mark registration No. 017912377 for ONLYFANS word mark (registered January 9, 2019), United Kingdom trade mark registration No. 00917912377 for ONLYFANS word mark (registered January 9, 2019) and US trade mark registration No. 5769267 for ONLYFANS word mark (registered June 4, 2019) (the "Trade Mark").

The Respondent is an individual apparently located in India. The Respondent did not submit a response, and consequently little information is known about the Respondent.

The disputed domain names were registered on the following dates:

- <onlyfansdiva.shop>: October 13, 2024;
- <onlyfansleakshub>: October 16, 2024;
- <onlyfanssneakpeeks.shop>: October 16, 2024.

The Complainant alleges that at the date of filing the Complaint, the disputed domains names resolved to websites which provided services in competition with the Complainant. Currently, the disputed domain names resolve to error pages (displaying "404 Not Found").

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:

- the disputed domain names are identical or confusingly similar to the Trade Mark. They consist of the Trade Mark and a descriptive term or phrases (namely, "diva", "leaks hub" and "sneak peeks"). The ".shop" Top-Level Domain should be disregarded under the confusing similarity test.
- the Respondent has no rights or legitimate interests in respect of the disputed domain names. It has no connection or affiliation with the Complainant and has not received any authorization, license or consent from the Complainant to use the Trade Mark. There is no evidence that the Respondent has been known by the disputed domain names. The disputed domain names redirect to websites offering adult entertainment dating services in competition with the Complainant's services. This use of the disputed domain names to host commercial websites that offer goods and services in competition with the trade mark owner does not give rise to rights or legitimate interests.
- the Respondent registered and is using the disputed domain names in bad faith. The Trade Mark has been recognized in previous UDRP decisions as "internationally well-known amongst the relevant public". The Respondent knew, or ought to have known, of the Trade Mark when it registered the disputed domain names and likely registered the disputed domain names to target the Trade Mark. The Respondent is offering adult entertainment services from the websites at the disputed domain names which compete with the Complainant's offering. The Respondent has not responded to the Complainant's cease-and-desist letter sent via the Registrar.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- 1) the disputed domain names are identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
- 2) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- 3) the disputed domain names have been registered and are being used in bad faith.

The onus of proving these elements is on the Complainant.

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

The entirety of the Trade Mark is reproduced within each of the disputed domain names. Accordingly, each disputed domain name is confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "diva", "leaks hub" or "sneak peeks") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between each disputed domain name and the Trade 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 names. 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 names such as those enumerated in the Policy or otherwise.

The Panel notes that the composition of each of the disputed domain names carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1. The Complainant has not authorized the Respondent to use the Trade Mark and there is no evidence that the Respondent has ever been commonly known by any of 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.

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.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

The Panel finds it unlikely that the disputed domain names were registered without knowledge of the Complainant and its Trade Mark, given the reputation of the Complainant and the composition of the disputed domain names. The Respondent's goal in registering and using the disputed domain names appears, on the balance of probabilities, to be to attract Internet users by taking unfair advantage of the Complainant's Trade Mark for potential gain. This finding is reinforced by the Respondent's alleged historical use of the dispute domain names to host websites offering services which compete with the Complainant's offering. This amounts to "opportunistic bad faith" under the Policy.

For completeness, in relation to the error message currently displayed for each disputed domain name, panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes: (a) the reputation of the Trade Mark and the composition of each disputed domain name, and (b) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and finds that in the circumstances the current passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

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 <onlyfansdiva.shop>, <onlyfansleakshub.shop>, and <onlyfanssneakpeeks.shop> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: June 17, 2025