

ARBITRATION AND MEDIATION CENTER

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Jun Zhang, HK Tech Solutions Limited, Zilong Zhao

Case No. D2025-1833

1. The Parties

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

The Respondents are Jun Zhang, HK Tech Solutions Limited, Hong Kong, China, and zilong zhao, United States.

2. The Domain Names and Registrar

The disputed domain name <onlyfanshack.pro> and <onlyfansleaked.pro> are registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 7, 2025. On May 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 8, 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 (Domain Administrator, See PrivacyGuardian.org) and contact information in the Complaint.

The Center sent an email communication to the Complainant on May 9, 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 an amendment to the Complaint on May 13, 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 Respondents of the Complaint, and the proceedings commenced on May 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 3, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondent's default on June 4, 2025.

The Center appointed Meera Chature Sankhari as the sole panelist in this matter on June 13, 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 the domain name <onlyfans.com> which 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 has obtained several trademark registrations worldwide. The Complainant's earliest registered rights accrued on June 5, 2018. The Complainant has secured registrations for ONLYFANS (word mark) in the United States under Reg. No. 6,253,455, registered on January 26, 2021; European Union Trade Mark No. 017912377 and United Kingdom Trade Mark No. UK00917912377 both registered on January 9, 2019.

The Complainant registered its domain name <onlyfans.com> on January 29, 2013. As of 2025, the Complainant claims that its website is one of the most popular websites in the world, with more than 305 million registered users. According to the Complainant, because of such popularity, their website has become a prime target for cybersquatters looking to profit from the goodwill that the Complainant has garnered in its marks ONLYFANS, ONLYFANS.COM, OFTV (word), the lock logo, and the OF design marks. The Complainant's claims that its trademark rights have been recognized in over one hundred and fifty UDRP decisions, resulting in the cancellation or transfer of the disputed domain names to the Complainant.

The disputed domain names <onlyfanshack.pro> and <onlyfansleaked.pro> were registered by jun zhang, HK Tech Solutions Limited and zilong zhao on December 1, 2024 and October 21, 2024 respectively.

The Respondents (hereafter referred to collectively as the "Respondent") did not respond to the present Complaint.

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 names consist of the Complainant's exact ONLYFANS mark with the only difference being the insertion of the descriptive terms "hack" and "leaked" after the Complainant's mark, which does nothing to avoid confusing similarity. Further, the Complainant alleges that the Respondent's use of the Top-Level Domain ("TLD") ".pro" in the disputed domain names does not sufficiently distinguish the disputed domain names from the Complainant's marks. Thus, the disputed domain names are identical or, at the very least, confusingly similar to the Complainant's ONLYFANS mark.

The Complainant alleges that the Respondent has no rights or legitimate interest in the disputed domain names as the Complainant has neither authorized the Respondent to use the Complainant's mark nor has any connection with it. The Complainant has relied upon the principle that using a disputed domain name to

host a commercial website that advertises goods and services in direct competition with the trademark owner does not give rise to legitimate rights or interests. Further, the Complainant alleges that the disputed domain names redirect to a website offering adult entertainment services which is in direct competition with the Complainant's services, which include "providing entertainment services [...] in the nature of a website featuring non-downloadable video, photographs, images, audio, and [...] in the field of adult entertainment".

The Complainant contends that since its ONLYFANS mark is well-known and has acquired distinctiveness, the Respondent either knew or ought to have known of the Complainant's marks and likely registered the disputed domain name to target the Complainant and its marks. The Complainant also alleges that the disputed domain names redirect to a commercial website that offers adult entertainment content in direct competition with the Complainant's services constituting bad faith. Such use is an intentional attempt to attract, for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's mark as to the source, affiliation, or endorsement of the disputed domain name. In addition, the Complainant also sent a cease-and-desist letter to the Respondent on March 23, 2025, and the Respondent did not reply. Further, the Respondent also hid from the public behind a Whols privacy wall. Lastly, the Complainant states that the Respondent's lack of interest or rights in the disputed domain names inevitably concludes the Respondent's bad faith.

B. Respondent

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

6. Discussion and Findings

The Complainant via its email communication dated May 13, 2025 has expressed its willingness to add the registrar-provided registrant information to the Complaint and to rely on the consolidation argument in the initial Complaint. Rule 3(c) of the Rules allows the Complainant to relate to more than one domain name, provided that the domain names are registered by the same domain-name holder. Based on the registrar-provided registrant information, there are two different domain name holders and neither of them have objected to the consolidation request of the Complainant.

Under Rule 10(e) the Panel has the discretion to decide a request by a Party to consolidate multiple domain name disputes in accordance with the Policy and these Rules. In order to decide the correctness of the argument of the Complainant the Panel will look at whether (i) the domain names or corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all Parties. Although the registrant details of the disputed domain names differ, the Panel finds that the disputed domain names are under common control as both the disputed domain names: are registered under the same Registrar; both redirect to the same website offering adult entertainment services in direct competition with the Complainant; both use the same TLD; and both incorporate the ONLYFANS mark followed by a similar descriptive term. Thus, this indicates that the disputed domain names are under common control. Moreover, the Panel sees no reason why consolidation in these circumstances would not be fair or equitable to all Parties. Hence, the consolidation is appropriate in this case.

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 mark is reproduced and recognizable within the disputed domain name. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

Although the addition of other terms, here "leaked" and "hack", 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 the disputed domain name and the mark for the purposes of the Policy. <u>WIPO Overview 3.0</u>, 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 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 was using the Complainant's ONLYFANS mark to attract Internet users to its disputed domain names and thereafter re-direct them to a commercial website which is in direct competition with the Complainant's services. The use of the ONLYFANS mark in its entirety within the disputed domain names, with the intent to mislead Internet users by creating a likelihood of confusion with the Complainant's mark, constitutes evidence of bad faith (paragraph 4(b)(iv) of 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 <onlyfanshack.pro> and <onlyfansleaked.pro> be transferred to the Complainant.

/Meera Chature Sankhari/ Meera Chature Sankhari Sole Panelist Date: June 27, 2025