

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. บรรจ สิบสองโห%u
Case No. D2025-1852

1. The Parties

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

The Respondent is บรรจ สิบสองโห%u, Thailand.

2. The Domain Name and Registrar

The disputed domain name <clipxxxonlyfan.com> (hereinafter referred to as the “Disputed Domain Name”) is registered with GoDaddy.com, LLC (hereinafter referred to as the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 8, 2025. On May 9, 2025, the Center acknowledged receipt of the Complaint and transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On May 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 (Registration Private, DomainsByProxy.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 15, 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 May 16, 2025.

The Center verified that 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 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 11, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 26, 2025.

The Center appointed Michal Havlík as the sole panellist in this matter on July 4, 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 a company known for operating the social media platform called “OnlyFans” founded in 2016.

The Complainant owns multiple word and figurative trademark registrations including:

- United Kingdom (the “UK”) trademark registration ONLYFANS no. 00917912377 with registration date January 9, 2019;
- European Union trademark registration ONLYFANS no. 017912377 with registration date January 9, 2019;
- United States of America (the “United States”) trademark registration ONLYFANS no. 5,769,267 with registration date June 4, 2019; and
- International registration ONLYFANS no. 1507723 with registration date November 2, 2019 valid, *inter alia*, in Canada, Switzerland, and Thailand

(hereinafter referred to as the “ONLYFANS trademarks”).

The Complainant has also established use of the ONLYFANS trademarks given that it has registrations for the ONLYFANS, ONLYFANS.COM, and OFTV for word trademarks and for the padlock logo and OF design trademarks. The Complainant operates a website located at “www.onlyfans.com”. In addition to the above-mentioned, the Complainant has gained extensive common law rights through its trademark registrations which have been recognized in previous WIPO decisions as having accrued and acquired distinctiveness by no later than July 4, 2016 (see *Fenix International Limited v. Domain Admin, Beacons AI Inc.*, WIPO Case No. [D2024-0113](#)).

On March 11, 2025, the Complainant sent a cease-and-desist letter to the Respondent demanding the Respondent to stop using and cancel the Disputed Domain Name which has remained unanswered to this moment.

The Disputed Domain Name was registered on December 12, 2024. Having checked the Disputed Domain Name, the Panel notes that there is no change on the website after filing of the Complaint. The Disputed Domain Name resolves to a website reproducing the Complainant’s design logo and ONLYFANS word mark, while offering adult entertainment services.

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.

The Complainant cites its UK and other trademarks for word and logo trademark ONLYFANS. The Complainant submits that previous UDRP panel decisions have recognised the Complainant’s trademark rights in more than one hundred WIPO decisions, for instance *Fenix International Limited c/o Walters Law Group v. Privacy Service Provided by Withheld for Privacy ehf / Leon Key*, WIPO Case No. [D2021-3132](#), or *Fenix International Limited v. Ladislav Hricko / 1a world Ltd, admin Me / Whois Privacy Corp.*, WIPO Case No. [D2021-2522](#). Consequently, the Complainant submits that it satisfies the requirement of holding a right in the trademark “Onlyfans”. The Complainant contends that the Disputed Domain Name is identical or

confusingly similar to the ONLYFANS trademarks in which the Complainant has rights. Moreover, the Disputed Domain Name contain the ONLYFANS trademarks only with a minor modification consisting in the singular form of the Complainant's word trademark. According to the Complainant, the addition of descriptive terms such as "clip" and "xxx" does nothing to avoid confusing similarity.

The Complainant submits that the Respondent lacks both rights and legitimate interests in the Disputed Domain Name. The Complainant contends that 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 as a part of the Disputed Domain Name or in any other manner. Furthermore, the website at the Disputed Domain Name offers adult entertainment services in direct competition with the Complainant's services, which does not constitute rights or legitimate interests.

The Complainant submits that the Respondent's website contains content previously published at the Complainant's website without licence from the Complainant or the respective creators, i.e. pirated content.

Finally, the Complainant alleges that the registration and use of the Disputed Domain Name show bad faith. With regard to the long-term and broad use of the Complainant's trademarks, the Respondent must have known about their existence when registering the Disputed Domain Name. Moreover, as mentioned above, the Complainant sent a cease-and-desist letter to the Respondent which has not been answered by the Respondent to this point. Such failure of the Respondent to respond or comply is another evidence of bad faith according to the Complainant (see *Encyclopaedia Britannica, Inc. v. John Zuccarini and The Cupcake Patrol a/k/a Country Walk a/k/a Cupcake Party*, WIPO Case No. [D2000-0330](#)).

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant has the burden of proving the following:

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

A. Identical or Confusingly Similar

The Complainant has sufficiently demonstrated existence of its trademark rights registered in Australia, India, Thailand, and other jurisdictions. Therefore, the Complainant has shown the existence of valid trademarks for the purpose of the Policy. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.2.1.

The entirety of the mark except for the final letter "s" is reproduced within the Disputed Domain Name. Accordingly, the Disputed Domain Name is confusingly similar to the trademark for the purpose of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other word elements such as "clip" and "xxx" or their combination 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 trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Accordingly, this Panel finds that the Disputed Domain Name is confusingly similar to trademarks in which the Complainant has rights.

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, previous panels have recognized that proving a respondent lack of 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 right 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 (even though 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.

The Respondent has neither demonstrated any rights or legitimate interests in the Disputed Domain Name nor rebutted the Complainant’s contention that the Respondent’s website is used for dissemination of adult entertainment content unlawfully obtained from the Complainant’s website.

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 illustrating 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 purpose of paragraph 4(a)(iii), paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, 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.

The Panel notes that the ONLYFANS trademarks predate the registration of the Disputed Domain Name by almost five years and have been intensively used in numerous jurisdictions including Thailand where the Respondent resides. As a result of the long-term use, the ONLYFANS trademarks have acquired strong distinctiveness. Moreover, the Complainant’s trademarks and logo have been used on the websites at the Disputed Domain Name, therefore, the Respondent was aware of the ONLYFANS trademarks, see *Fenix International Limited v. WhoisGuard Protected, WhoisGuard, Inc. / Howard Jones*, WIPO Case No. [D2020-3444](#).

The Panel considers the distinctiveness or reputation of the Complainant’s trademarks, the composition of the Disputed Domain Name that incorporates almost in its entirety the registered trademark ONLYFANS with additional terms “clip” and “xxx” that do not exclude the likelihood of confusion with the Complainant’s trademarks and which directly refers to adult entertainment content in case of the word element “xxx” (see *Fenix International Limited c/o Walters Law Group v. Privacy Service Provided by Withheld for Privacy ehf* /

Leon Key, WIPO Case No. [D2021-3132](#)), and the lack of response from the Respondent, and finds that the Respondent has registered the Disputed Domain Name in bad faith. Furthermore, the Respondent also has been using the Disputed Domain Name in bad faith since the Disputed Domain Name directs to a commercial website that offers adult entertainment content which has been pirated from the Complainant's website and which is in direct competition with the Complainant's services (see *Fenix International Limited c/o Walters Law Group v. Dilshan Omantha*, WIPO Case No. [DCC2021-0002](#)). Moreover, the Respondent has not provided any evidence of actual or contemplated good faith use and has not responded to the Complainant's cease-and-desist letter or the Complaint.

In the light of the above-mentioned, the Panel finds that the Respondent has registered and used the Disputed Domain Name in bad faith.

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 <clipxxxonlyfan.com> be transferred to the Complainant.

/Michal Havlík/

Michal Havlík

Sole Panellist

Date: July 18, 2025