

## ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. punn pertorico  
Case No. D2025-1869

### 1. The Parties

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

The Respondent is punn pertorico, Thailand.

### 2. The Domain Names and Registrar

The disputed domain names <onlyfans-th.com> and <onlyfans-th.vip> are registered with NameCheap, Inc. (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 9, 2025. On May 12, 2025, the Center 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 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 May 13, 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 the same day.

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 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 3, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 4, 2025.

The Center appointed Lorenz Ehrler 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 website located at the domain name <onlyfans.com>. The website is a social media platform that allows users to post and subscribe to audiovisual content, mainly in the field of adult entertainment.

The Complainant holds various trademark registrations for ONLYFANS in many countries/regions of the world, in particular:

- European Union trademark ONLYFANS (word and device), no. 017946559, registered on January 9, 2019;
- European Union trademark ONLYFANS (word only), no. 017912377, registered on January 9, 2019;
- United States trademark ONLYFANS (word only), no. 5,769,267, registered on June 4, 2019;

The disputed domain names <onlyfans-th.com> and <onlyfans-th.vip> were registered on December 15 and 21, 2024, respectively. The disputed domain names resolve to a website with adult entertainment videos.

#### **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 confusingly similar to its ONLYFANS trademarks. It stresses the fact that the additional element "th" in the disputed domain names, which likely stands for "Thai", does nothing to avoid confusing similarity.

Furthermore, the Complainant states that the Respondent is not affiliated or related to it in any way, and that it did not authorize the Respondent to use the trademark in question. The Complainant considers that the Respondent is in no way authorised to use the ONLYFANS trademark in the disputed domain names that resolve to a website on which numerous adult videos can be viewed, including some that were pirated from the Complainant's platform.

Lastly, the Complainant contends that the Respondent uses the disputed domain names and the websites to which they resolve in a way to create confusion with the Complainant's trademark ONLYFANS, which in its view constitutes bad faith.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain names registered by the Respondent are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and

- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

#### **A. Identical or Confusingly Similar**

The Complainant holds several trademarks for ONLYFANS. These trademarks are registered in many jurisdictions, in particular in the European Union, in the United States and in Thailand, where the Respondent seems to reside. The trademarks put forward by the Complainant are sufficient to ground the Complaint.

Under the UDRP, the identity or confusing similarity requirement under paragraph 4(a) of the Policy requires identity or confusing similarity between complainant's trademarks and respondent's domain name. There is no requirement of similarity of goods and/or services (e.g., *AIB-Vincotte Belgium ASBL, AIB-Vincotte USA Inc./Corporation Texas v. Guillermo Lozada, Jr.*, WIPO Case No. [D2005-0485](#)).

The existence of a confusing similarity within the meaning of paragraph 4(a) of the Policy makes no doubt in the present case, given that the element in the disputed domain names, i.e. "onlyfans", is identical with the Complainant's trademark ONLYFANS. Taking into account that the trademark ONLYFANS is recognizable, the other element of the disputed domain names, i.e. the letters "th" which possibly stand for "Thailand", is not sufficient to avoid a finding of confusing similarity.

The Panel finds that paragraph 4(a)(i) of the Policy is satisfied.

#### **B. Rights or Legitimate Interests**

The Complainant contends that the Respondent does not have any rights or legitimate interests in the disputed domain names. The Complainant has shown that it owns ONLYFANS trademarks, and it has explicitly contested having granted the Respondent any right to use its trademarks. The Complainant has thus made a *prima facie* showing that the Respondent has no rights or legitimate interests in the disputed domain names. In line with previous UDRP panel decisions, this means, that the burden of production shifts to the Respondent (e.g., *Belupo d.d. v. WACHEM d.o.o.*, WIPO Case No. [D2004-0110](#); *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#)).

Additionally, the composition of the disputed domain names (which integrally contain the Complainant's ONLYFANS trademark) and the content of the websites at the disputed domain names create a risk of Internet user confusion. Panels have held that the use of a domain name for illegal activity like passing off and impersonation, as it is the case here, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

This Panel concludes that the Respondent does not have any rights or legitimate interests with respect to the disputed domain names.

#### **C. Registered and Used in Bad Faith**

Paragraph 4(a)(iii) of the Policy provides that the Complainant must, in addition to the matters set out above, demonstrate that the disputed domain names have been registered and are being used in bad faith.

The Complainant submits that the Respondent registered and is using the disputed domain names in bad faith. The undisputed *prima facie* evidence establishes that the Respondent is not affiliated with the Complainant, and has no license or other authorisation to use the Complainant's trademark or name.

The Respondent registered the disputed domain names well after the Complainant's mark was in use and became known within its specific product market. The Panel finds that the Respondent must have known about the Complainant's trademark and business when registering the disputed domain names. Given the use to which the Respondent put the disputed domain names shortly after registering them, it seems totally

impossible to this Panel that the Respondent was unaware of the Complainant's trademark at the time of the registration of the disputed domain names.

The Respondent's choice of the disputed domain names, which incorporate the ONLYFANS trademark, and its offering of services identical or similar to the Complainant's under the latter's trademark ONLYFANS, namely adult entertainment services, indicates indeed that the Respondent was aware of the existence of the Complainant's trademark ONLYFANS and thus registered and used the disputed domain names in bad faith.

Also, the misleading of Internet users and consumers into thinking that the Respondent is, in one way or another, connected to, sponsored by or affiliated with the Complainant and its business, or that the Respondent's activities are approved or endorsed by the Complainant, indicates bad faith ([WIPO Overview 3.0](#), section 3.1.4; *Swarovski Aktiengesellschaft v. bingbing chen*, WIPO Case No. [D2011-1524](#)).

The Respondent has not submitted any evidence to rebut the Complainant's claims and assertions. In the absence of such evidence and based on the evidence submitted by the Complainant and having regard to all the relevant circumstances, the Panel accepts the Complainant's contentions that the disputed domain names were registered and are being used in bad faith within the meaning of paragraph 4(a)(iii) 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 <onlyfans-th.com> and <onlyfans-th.vip> be transferred to the Complainant.

*/Lorenz Ehrler/*

**Lorenz Ehrler**

Sole Panelist

Date: June 27, 2025