

## **ADMINISTRATIVE PANEL DECISION**

Erica Wright v. Tom Belfort, Wolf AI Digital LLC

Case No. D2025-1942

### **1. The Parties**

The Complainant is Erica Wright, United States of America ("United States"), represented by Kia Kamran P.C., United States.

The Respondent is Tom Belfort, Wolf AI Digital LLC, United States, self-represented.

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

The disputed domain name <erykah-badu.com> is registered with GoDaddy.com, LLC (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 14, 2025. On May 15, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 15, 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 (Privacy through Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 16, 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 19, 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 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 10, 2025. The Response was filed with the Center on May 22, 2025.

The Center appointed W. Scott Blackmer 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 Erica Wright, a resident of the State of California, United States, is the internationally celebrated singer professionally known as ERYKAH BADU. The Complainant claims common law trademark rights in her professional name. On February 21, 2025, the Complainant filed an application with the United States Patent and Trademark Office (“USPTO”), Serial Number 99051824, to register ERYKAH BADU as a word mark in international classes 09, 25, and 41, claiming first commercial use in 1997.

Performing since 1997 under the stage name ERYKAH BADU, the Complainant has won five GRAMMY awards: as Best Female R&B Vocal Performance for *On & On* and as Best R&B Album for *Baduizm* (1998); as Best Rap Performance for *You Got Me* (2000); as Best R&B Song for *Love of My Life (An Ode to Hip-Hop)* (2003); and as Best Melodic Rap Performance for *3:AM* (2025). The Complainant also won an American Music Award as Favorite R&B/Soul or Rap New Artist (1998) and the Icon award at Billboard Women in Music 2025, as well as an MTV Video Music Award and multiple BET Awards. The Complainant has toured extensively in the United States and international; a list of the Complainant’s music concerts is attached to the Complaint, along with a printout of the Wikipedia article on the Complainant.

The record shows that the Complainant has sold her music recordings and branded merchandise such as clothing online since 1997, operating her own website since 2020 at “www.baduworlmarket.com”. The Complainant’s ERYKAH BADU social media pages also have attracted large followings, including 6.6 million followers on Instagram, 4.4 million followers on Facebook, and more than 4 million monthly listeners on Spotify.

The disputed domain name was created on August 12, 2023, and is registered to the Respondent Tom Belfort of Wolf AI Digital LLC, listing a postal address in the State of New York, United States, with a “.me” contact email address. The Panel notes that Respondent is located in a city which is in the State of California, not a city in the State of New York, and that “Wolf AI Digital LLC” is not listed as a registered company on the relevant state databases of either state.<sup>1</sup> However, the Panel finds that “Wolf AI Digital AI LLC” is registered as a limited liability company in the State of Wyoming, established in Wyoming on July 4, 2022, with a principal office listed at “Rella Drive” in the city of Montebello, New York (a state where the Respondent is evidently not currently registered). Thus, the registration information furnished by the Respondent for the disputed domain name appears to be inaccurate.

The disputed domain name resolves to a website headed “Groove with Erykah Badu”, with the tagline, “A blog about Erykah Badu who is a singer/songwriter, but also general music celebs, celebs in general, the music industry.”

Since this dispute arose, the Respondent added the following disclaimer immediately below this description:

“We are not affiliated with Erykah Badu. This is a fan site and entertainment music blog.”

The Respondent’s website has information about the Complainant but also about other singers, songwriters, and the music industry. Despite the reference to a “blog”, there is no actual blog but only a series of articles, some with links to third-party sites. The Respondent’s website invites visitors to furnish their names and email addresses to “stay up to date”. The site includes a contact page and links to the Complainant’s Facebook and Instagram pages, identified as such. The Respondent’s website does not actually identify the Respondent, even in the copyright notice and in the About, Terms, and Privacy pages.

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<sup>1</sup>Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 4.8.

## 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 common law ERIKAH BADU mark. The Complainant asserts that the Respondent has no permission to use the mark or other rights or legitimate interests in the disputed domain name. The Complainant contends that the Respondent impersonated the Complainant in the disputed domain name and in the website content without making it clear that the site was not associated with the Complainant, and then displayed content unrelated to the Complainant, linking to commercial sites (the Complainant assumes that the Respondent obtains a commission for such links on a Pay-Per-Click ("PPC") basis). Thus, the Respondent's website was "underdeveloped", commercial, and could not be considered a legitimate fan site. The Complainant also argues for a finding of bad faith because the Respondent's website links to other musical sites such as those of Joff Winks (musician and video game music composer), Eliettes Music Academy (the former website of a New Zealand music academy and musical instrument shop), and *Spin* (an online magazine about music and pop culture), citing Policy paragraph 4(b)(iv) on the intentional misdirection of Internet users for commercial gain.

### B. Respondent

The Respondent contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name. The Respondent "concedes" that the disputed domain name is "identical to the mark ERIKAH BADU" for purposes of the Policy but argues that the Respondent has rights or legitimate interests in using the mark in good faith for a dual purpose: to do AI (artificial intelligence) content research and operate a bona fide fan blog. The Respondent shows that it was accepted in the Microsoft for Startups Founders Hub in November 2024 to use Azure AI Studio tools. The Respondent attaches registrar screenshots showing that it acquired three other domain names, in addition to the disputed domain name, to conduct an experiment in four different verticals (business, entertainment, technology, and food and drink, respectively), to see how Google ranks AI-generated content. The Respondent states that it has populated the associated websites, including the site associated with the disputed domain name, with AI-generated articles, including no advertising or affiliate links. The current content on the Respondent's website associated with the disputed domain name consists of 21 music posts. The site does not include advertising scripts and does not track user clicks. There is no order form or payment page. The Respondent states that the mailbox is not monitored and no inquiries have been received. The content links noted by the Complainant are generated by the AI and are unpaid. The site has never been offered for sale.

The Respondent asks for a finding of Reverse Domain-Name Hijacking. The Respondent observes that the Complainant failed to contact the Respondent before filing the Complaint and cited the superseded WIPO Overview 2.0 rather than Overview 3.0 throughout the Complaint and mischaracterized the Respondent's website as "underdeveloped" and as a PPC site similar to the one in *Erica Wright v. Arielle Phoenix*, WIPO Case No. [D2025-1188](#), involving a different Respondent. The Respondent refers to the Complainant's "careless or intentional use of this irrelevant evidence" of PPC use from a different proceeding.

## 6. Discussion and Findings

### 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 3.0](#), section 1.7.

The Panel finds the Complainant has established unregistered trademark or service mark rights in her professional name ERYKAH BADU for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.3. The record amply demonstrates that the Complainant has been performing and recording under that name, which is not her given name, since 1997. The Complainant has also sold musical recordings and other merchandise branded with that name since 1997. The Complainant quickly attained a wide reputation in the United States and internationally, gaining media recognition and prestigious awards from 1998 to the present and maintaining a substantial and continuous presence online and in social media.

The Panel finds the mark is recognizable within the disputed domain name. The disputed domain name differs from the mark only by adding a hyphen, which does not prevent a finding of confusing similarity for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7. Notably, the Respondent concedes that the disputed domain name is confusingly similar to the Complainant's mark and does not deny that the disputed domain name was intended to refer to the Complainant.

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 claims a legitimate interest both in doing AI content research and in operating a fan site. The Respondent's website falls short of the accepted criteria for a fan site that makes legitimate, fair referential use of the Complainant's mark. The disputed domain name is essentially identical to the mark (the mere addition of a hyphen does not distinguish it from a domain name likely to be associated with the Complainant); the Respondent's website does not identify the website operator and did not include a disclaimer until the Complaint was filed in this proceeding; some of the content of the website otherwise falsely implies association with the Complainant (linking to the Complainant's social media sites, for example); and the Respondent's website actually does not include a blog as stated in the header and has very little information about the Complainant but rather random information about other music industry topics. Importantly, this content links not only to journalistic and informational sources such as *Spin* but also to third-party commercial sites such as the Joff Winks and Eliettes Music Academy sites mentioned above.

In sum, the disputed domain name and the Respondent's website at first glance unfairly impersonate the Complainant (see *Everytown for Gun Safety Action Fund, Inc. v. Contact Privacy Inc. Customer 1249561463 / Steve Coffman*, WIPO Case No. [D2022-0473](#)), very little of the content on the Respondent's website is devoted to the Complainant, and it is not strictly noncommercial, even if the Respondent itself has not monetized it. These facts all militate against a finding that the Respondent's use is "legitimate noncommercial or fair use" within the meaning of the Policy, Paragraph 4(c)(iii). This conclusion is true whether the Respondent characterizes the website as a fan site, which it patently is not since it has very little to do with the Complainant, or as an experiment in Google search rankings of AI-generated content. The Respondent has not furnished sufficient evidence or rationale to demonstrate that this purported research is

noncommercial and that it was necessary to use the Complainant's trademark as a domain name to conduct such research.

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 does not deny prior awareness of the Complainant's mark and concedes that the disputed domain name is identical for Policy purposes. The Respondent attempts to justify the registration and use of the disputed domain name for a fan site and an experiment in Google search results on AI-generated content, without offering much information about this experiment. However, as detailed in the preceding section, the Respondent's rationale for defending its website as a fan site is unpersuasive, and assuming that the website content was largely AI-generated, its results unfairly exploited the Complainant's mark to link to commercial sites of third parties. This also happens with PPC advertising, but the Respondent did not park the disputed domain name for that use.

Nevertheless, as with PPC advertising, it is necessary only to demonstrate that Internet users were misleadingly attracted to the Respondent's site with a domain name confusingly similar to the Complainant's trademark, and then directed to other sites from which someone could derive commercial gain. This is deemed bad faith within the meaning of the Policy, paragraph 4(b)(iv), because it unfairly exploits the trademark of another party.

This is true even if the links are generated by software algorithms and the Respondent itself is not paid for the clicks. See [WIPO Overview 3.0](#), section 3.5. Thus, the Respondent put itself at risk of violating the Policy, paragraph 4(b)(iv) by registering a domain name identical or confusingly similar to a trademark and then allowing unmonitored AI content generation for the associated website.

The Panel finds that the Complainant has established the third element of the Policy.

Given this finding, the Panel rejects the Respondent's request for a finding of Reverse Domain Name Hijacking.

### **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 <erykah-badu.com> be transferred to the Complainant.

*/W. Scott Blackmer/*

**W. Scott Blackmer**

Sole Panelist

Date: June 17, 2025