

## **ADMINISTRATIVE PANEL DECISION**

MUITAS LTD v. Domain Privacy, Domain Name Privacy Inc.  
Case No. D2025-2043

### **1. The Parties**

The Complainant is MUITAS LTD, United States of America ("US"), represented by Silverstein Legal, US.

The Respondent is Domain Privacy, Domain Name Privacy Inc., Cyprus.

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

The disputed domain name <vidclips4sale.com> is registered with Tucows Domains Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 23, 2025. On May 23, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same day, 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 (Contact Privacy Inc., Customer 0174740738) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 27, 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 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 27, 2025.

The Center appointed David Stone as the sole panelist in this matter on July 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 the website located at the domain name <clips4sale.com>. The Complainant has used the <clips4sale.com> domain name for several years in connection with the provision of a platform that allows users to post and sell audiovisual content. The Complainant's domain name received 122.6 million visits in the first quarter of 2024.

The Complainant owns, among others, the following registered trademarks (the Marks):

- CLIPS4SALE: US trademark registration no. 3,554,200 registered on December 30, 2008 in international class 41;
- CLIPS4SALE: US trademark registration no. 7,103,167 registered on July 11, 2023 in international classes 41 and 42; and
- **CLIPS4SALE**: US trademark registration no. 7,432,105 registered on July 2, 2024 in international classes 9, 41 and 42.

The Complainant's predecessor-in-interest registered the <clips4sale.com> domain name on July 22, 2003.

The disputed domain name was created on April 24, 2025. The Complainant has provided evidence that the Respondent previously hosted at the disputed domain name a parked page comprising pay-per-click ("PPC") links relating to adult entertainment. At the date of this Decision, the disputed domain name redirects to <classicspinz.com> which hosts a website providing gambling 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 contends that, under the first element, the disputed domain name is confusingly similar to the Marks and that the only difference is the descriptive term "vid" (short for "video"), which does nothing to avoid confusing similarity.

Under the second element, the Complainant contends that the Respondent is not a licensee of the Complainant nor otherwise authorized to use the Marks for any purpose, and that the Respondent is not commonly known as "clips4sale". The Complainant also contends that the Respondent cannot claim the right to use the disputed domain name under fair use, since it includes the Marks and the additional term "vid", which together create a risk of implied affiliation with the Complainant's video clip platform. The Complainant further contends that the website at the disputed domain name offers PPC links to third-party websites that offer services that compete with the Complainant's services.

Under the third element, the Complainant contends that it had well-recognized rights years before the Respondent registered the disputed domain name and that there is no plausible circumstance under which the Respondent could legitimately register or use the disputed domain name.

## **B. Respondent**

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

## **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 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 Marks is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Marks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, "vid", may bear on assessment of the second and third elements, the Panel finds the addition of such a term does not prevent a finding of confusing similarity between the disputed domain name and the 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 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.

Further, applying paragraph 4(c) of the Policy, panels have found that the use of a domain name to host a parked page comprising PPC links does not represent a bona fide offering where such links compete with or capitalize on the reputation and goodwill of the complainant's mark or otherwise mislead Internet users. [WIPO Overview 3.0](#), section 2.9. The Panel finds that the Complainant's Marks have considerable goodwill and reputation for adult entertainment services. The Panel accepts the Complainant's evidence of the parked page at the disputed domain name previously showed PPC links for adult entertainment services. Such PPC links compete with or capitalize on the reputation and goodwill of the Marks.

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: (i) the disputed domain name is confusingly similar for the reasons already given and it differs from the Complainant's official domain name by just "vid"; (ii) the Respondent previously hosted at the disputed domain name a parked page comprising PPC links relating to adult entertainment that competed with or capitalized on the reputation and goodwill of the Complainant's Marks; and (iii) at the time of this Decision, the disputed domain name redirects to <classicspinz.com> which hosts a website providing gambling services.

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.

Panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely known trademark by an unaffiliated entity can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4. Panels have moreover found that evidence of a respondent seeking to cause confusion supports a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark. [WIPO Overview 3.0](#), section 3.1.4.

Particular circumstances panels may take into account in assessing whether the respondent's registration of a domain name is in bad faith include: (i) the nature of the domain name (e.g., a domain name incorporating the complainant's mark plus an additional term such as a descriptive term), (ii) the chosen top-level domain, (iii) the content of any website to which the domain name directs, including any changes in such content and the timing thereof, and (iv) a clear absence of rights or legitimate interests coupled with no credible explanation for the respondent's choice of the domain name. [WIPO Overview 3.0](#), section 3.2.1.

The Respondent did not come forward to show it has rights or legitimate interests in the disputed domain name, and the Panel finds that the Respondent has no credible explanation for its choice of domain name, which appears to target the Complainant. The fact that the disputed domain name no longer hosts a parked page comprising competing PPC links but instead redirects to <classicspinz.com>, which hosts a website providing gambling services, does not negate these findings.

Further, the Respondent has not attempted to refute any of the Complainant's contentions, which casts additional doubt on the nature of its conduct. [WIPO Overview 3.0](#), section 3.2.1.

Having reviewed the record, the Panel concludes that the actions of the Respondent in choosing the disputed domain name were aimed at attracting, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's Marks. The Panel therefore concludes that the disputed domain name was registered and is being used 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 <vidclips4sale.com> be transferred to the Complainant.

*/David Stone/*

**David Stone**

Sole Panelist

Date: July 17, 2025