

## ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. ambbet ambbetx  
Case No. D2025-2552

### 1. The Parties

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

The Respondent is ambbet ambbetx, Thailand.

### 2. The Domain Name and Registrar

The disputed domain name <onlyfanmax.net> is registered with Hostinger Operations, UAB (the "Registrar").

### 3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 30, 2025. On July 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 2, 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 Admin, Privacy Protect, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 2, 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 July 2, 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 July 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 28, 2025.

The Center appointed Anita Gerewal as the sole panelist in this matter on July 31, 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> and has used the said domain name for several years 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 is the owner of numerous ONLYFANS trademark registrations internationally, including the following ONLYFANS word mark:

- United Kingdom Trademark Registration No. UK00917912377 in international classes 9, 35, 38, 41 and 42, registered on January 9, 2019.
- European Union Trademark Registration No. 017912377 in international classes 9, 35, 38, 41 and 42, registered on January 9, 2019.
- United States Trade Mark Registration No. 5769267 in international class 35, registered on June 4, 2019.
- United States Trade Mark Registration No. 6253455 in international classes 9, 35, 38, 41, 42, registered on January 26, 2021.

The Complainant is also the owner of the figurative trademark  in the United States with registration No. 6938572, registered on January 3, 2023, for services in international classes 38, 41 and 42.

The disputed domain name was registered on December 27, 2024 and currently redirects to a website offering adult content. The Complainant's figurative trademark  is used as a favicon for the said website, which appears as a small image next to the title bar when the website is opened.

#### **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 it has had registered rights in its trademarks as early as June 5, 2018, and the Complainant has used the trademarks since at least June 4, 2016. Thus, the Complainant's rights pre-date the Respondent's registration of the disputed domain name.

The Complainant further contends that the disputed domain name is identical - or, at the very least, confusingly similar - to the Complainant's trademarks, wherein it consists of the Complainant's exact mark with the only difference being the insertion of the descriptive term "max" after the singular form of the Complainant's trademark, which does nothing to avoid confusing similarity. The use of the ".net" generic Top-Level Domain ("gTLD") does not change the result.

The Complainant asserts that the Respondent has no affiliation with the Complainant and has not been authorized to use the Complainant's trademarks in any way. The Respondent is not commonly known by the disputed domain name and does not own any trademarks for it. Furthermore, using the disputed domain name to host a website offering services purportedly similar to that of the Complainant is not a legitimate use, as it creates a misleading impression of association or endorsement by the Complainant and may divert visitors away from the Complainant.

The Complainant also asserts that the Respondent registered the disputed domain name in bad faith by incorporating the Complainant's ONLYFANS trademark along with the term "max," which misleadingly suggests an enhanced version of the Complainant's services. This confusion is worsened by the use of watermarked content bearing the Complainant's marks. The Respondent uses the disputed domain name to offer competing adult entertainment services, including pirated content from the Complainant's users, thereby directly undermining the Complainant's business.

The Complainant also submitted that it has sent a cease-and-desist notice to the Respondent concerning the Respondent's improper use of the disputed domain name but received no reply.

The Complainant has cited several prior decisions under the Policy involving the Complainant's ONLYFANS trademark to support its Complaint.

## **B. Respondent**

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

## **6. Discussion and Findings**

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

- (i) The disputed domain name is identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (ii) The Respondent has no rights or legitimate interest in respect of the disputed domain name; and
- (iii) The disputed domain name has been registered and is being used in bad faith.

### **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 its ONLYFANS trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Further, a domain name which consists of a common, obvious, or intentional misspelling of a trademark is considered by panels to be confusingly similar to the relevant mark for purposes of the first element. This stems from the fact that the domain name contains sufficiently recognizable aspects of the relevant mark. [WIPO Overview 3.0](#), section 1.9.

In this case, the omission of the letter "s" in the mark ONLYFANS in the disputed domain name does not prevent a finding of confusing similarity.

Although the addition of other terms here, "max" 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. [WIPO Overview 3.0](#), section 1.8.

The addition of the gTLD “.net” shall be disregarded for the purposes of assessing confusing similarity, as it is a standard requirement of registration.

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 observes that the Complainant has no relationship in any way with the Respondent and did not authorize the Respondent’s use of the ONLYFANS trademark. The Panel also notes that there is no evidence showing that the Respondent might be commonly known by the disputed domain name in the sense of paragraph 4(c)(ii) of the Policy.

Further, the Panel observes that the disputed domain name redirects to a website offering services purportedly similar to that of the Complainant. Therefore, the Panel is of the opinion that the Respondent’s use of the disputed domain name is in a manner that creates confusion with the Complainant and its trademark rights, which does not support a finding of rights or legitimate interests in the disputed domain name on the part of the Respondent.

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.

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 finds that the disputed domain name was registered and is being used in bad faith. The Complainant’s trademark is well established and widely recognized, making it unlikely that the Respondent was unaware of the Complainant’s rights at the time of registration. The disputed domain name incorporates a misspelled version of the Complainant’s mark by omitting the letter “s”, along with the term “max”, which gives Internet users an impression that the disputed domain name is a “maximum” or “max” version of

Complainant's services. Moreover, the Respondent's use of the Complainant's figurative mark as a favicon, along with the offering of services similar to those provided by the Complainant, further suggests an intent to mislead users into believing the website is affiliated with or endorsed by the Complainant. This supports a clear inference of bad faith registration and use intended to exploit the Complainant's reputation for commercial gain.

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 <onlyfanmax.net> be transferred to the Complainant.

*/Anita Gerewal/*  
**Anita Gerewal**  
Sole Panelist  
Date: Aug 14, 2025