

## **ADMINISTRATIVE PANEL DECISION**

Fenix International Limited c/o Walters Law Group v. Md. Mizanur Rahman  
Case No. D2025-3095

### **1. The Parties**

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

The Respondent is Md. Mizanur Rahman, Bangladesh.

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

The disputed domain name <onlyfansapp.xyz> is registered with NameCheap, Inc. (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 4, 2025. On August 5, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 5, 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 ("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 August 6, 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 amended Complaint on the same date.

The Center verified that the Complaint together with the amended 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 August 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 27, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 28, 2025.

The Center appointed Syed Naqiz Shahabuddin as the sole panelist in this matter on August 29, 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 following summary sets out the uncontested factual submission made by the Complainant:

4.1 The Complainant owns and operates the website located at the domain name <onlyfans.com> and has used its 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. In providing its services, the Complainant has made extensive use of the ONLYFANS trademark (the “Trademark”).

4.2 The Complainant has registered several variations of the Trademark including ONLYFANS, ONLYFANS.COM and OFT in various classes in the United Kingdom, the European Union, and the United States. The Complainant has also pursued or obtained registrations in multiple jurisdictions. The following sets out the details of some of the registrations of the Trademark (and variations thereof) by the Complainant:

<b>Jurisdiction</b>	<b>Mark</b>	<b>Registration Number</b>	<b>Date of Registration</b>	<b>Classification of Goods / Services</b>
United Kingdom	ONLYFANS	UK00917912377	January 9, 2019	Class 9, 35, 38, 41, and 42
European Union	ONLYFANS (figurative)	017946559	January 9, 2019	Classes 9, 35, 38, 41, and 42
United States	ONLYFANS ONLYFANS.COM	5,769,267 5,769,268	June 4, 2019	Class 35

4.3 The Complainant registered the domain name <onlyfans.com> on January 29, 2013, and in 2025, the domain name was one of the most popular websites in the world, with more than 305 million registered users.

4.4 The Complainant’s trademark rights have been recognised in over 150 UDRP decisions resulting in the cancellation or transfer of domain names to the Complainant.

4.5 The Respondent has no connection or affiliation with the Complainant and has not received any authorization, license, or consent from the Complainant, whether express or implied, to use the Trademark in the disputed domain name or in any other manner.

4.6 The Respondent registered the disputed domain name using a privacy service on March 14, 2025.

4.7 The disputed domain name redirects to a website located at “www.onlyfa.app”, which contains a logo that is identical to the Complainant’s registered ONLYFANS logo and offers an app which purports to offer official ONLYFANS creator content. The app or the APK file associated therewith is not associated with the Complainant.

4.8 The Respondent was also the respondent in *Fenix International Limited v. Md. Mizanur Rahman*, WIPO Case No. [D2024-0467](#) related to the Trademark.

4.9 The Complainant had issued a cease and desist letter to the Respondent on May 29, 2025, demanding cancellation of the disputed domain name. The Respondent failed to respond to the correspondence.

## 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, inter alia, as follows:

5.1. The Complainant asserts that the Trademark is a well-known trademark that is used globally and that the disputed domain name is identical or confusingly similar to the Trademark for the following reasons:

- (a) the disputed domain name comprises the Trademark with the only difference being the insertion of the descriptive term "app" after the Trademark, which does nothing to avoid confusing similarity, and
- (b) the use of the Top-Level Domain ("TLD") ".xyz" does not change the result and is a standard registration requirement.

5.2. The Complainant further contends that the Respondent does not have any rights or legitimate interests to the disputed domain name because:

- (a) the Respondent has no connection or affiliation with Complainant and has not received any authorization, license, or consent, whether express or implied, to use the Trademark in the disputed domain name or in any other manner;
- (b) the Respondent is not commonly known by the Trademark and does not hold any trademarks for the disputed domain name;
- (c) the Respondent will not be able to provide any credible evidence of rights or legitimate interests in the domain;
- (d) the Respondent cannot claim the right to use the disputed domain name under fair use, since it includes the Trademark and the additional term "app" which creates a risk of implied affiliation by suggesting to users that the "app" at the disputed domain name is sponsored or associated with the Complainant; and
- (e) the Respondent's use of the disputed domain name is to offer illegal services which is not in connection with a bona fide offering of goods or services but rather to pass itself off as the Complainant or as somehow connected or affiliated to the Complainant.

5.3. The Complainant further contends that the Respondent registered and uses the disputed domain name in bad faith and relies on the following:

- (a) the disputed domain name was registered on March 14, 2025, long after the Complainant attained registered rights in the Trademark and long after the Complainant had acquired common law rights in the Trademark;

- (b) the widespread commercial recognition of the Complainant's Trademark was such that the Respondent either knew or ought to have known of the Trademark and likely registered the disputed domain name to target the Trademark. It is more probable than not that the Respondent registered the disputed domain name with this knowledge especially since the Respondent's website featured a logo similar to the Complainant's logo;
- (c) the Respondent is a serial cybersquatter and has been engaged in a pattern of registering infringing domain names, and;
- (d) the Respondent clearly registered the disputed domain name to divert Internet traffic from the Complainant's site to a website offering a bogus ONLYFANS mobile application in direct competition with the Complainant's website. The attempt to offer official OnlyFans creator content via the "OnlyFans App" download is counterfeit and not authorized by the Complainant.

## **B. Respondent**

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

## **6. Discussion and Findings**

In order to succeed in its Complaint, the Complainant is required to establish the following elements set out under paragraph 4(a) of the Policy:

- (a) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (b) that the Respondent has no rights or legitimate interest in respect of the disputed domain name; and
- (c) that 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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

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

Although the addition of other terms here, "app", and the use of the TLD ".xyz" may bear on assessment of the second and third elements, the Panel finds that neither the addition of such term nor the use of the TLD prevents a finding of confusing similarity between the disputed domain name and the Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8 and 1.11.1.

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.

Furthermore, panels have held that the respondent’s use of a complainant’s mark to redirect users (e.g., to a competing site) would not support a claim to rights or legitimate interests.. [WIPO Overview 3.0](#), section 2.5.3.

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.

Past panels often cite paragraph 4(b)(iv) as one of the circumstances to substantiate evidence of bad faith registration and use. Paragraph 4(b)(iv) provides that where a respondent intentionally attempts to attract, for commercial gain, Internet users to its website or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the respondent’s website or location or of a product or service on the respondent’s website or location, then this would justify a finding of bad faith.

The Panel is cognizant of the goodwill attached to the Trademark. This often leads to attempts to hijack or to ride and usurp the goodwill attached thereto by third parties unconnected to the Complainant. The evidence adduced by the Complainant suggests that the Respondent intended to do so. This includes the following factors:

- (a) the date of registration of the disputed domain name which was long after the Trademark was registered and acquired distinctiveness and global appeal;
- (b) the inclusion of the Trademark in its entirety in the disputed domain name;

- (c) the pattern of conduct by the Respondent in registering other domain names incorporating the Trademark as evidenced in past UDRP proceedings where findings of bad faith were made;
- (d) the silence on the part of the Respondent in replying to correspondence issued by the Complainant and to this Complaint; and
- (e) the manner in which the Respondent uses the disputed domain name to redirect to a website which displays the Complainant's logo and which purportedly provides access to the Complainant's creator-based content via an unauthorized APK file.

Having reviewed the record, therefore, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <onlyfansapp.xyz> be transferred to the Complainant.

*/Syed Naqiz Shahabuddin/*  
**Syed Naqiz Shahabuddin**  
Sole Panelist  
Date: September 12, 2025