

## **ADMINISTRATIVE PANEL DECISION**

Warp World Inc. v. Nurlan Tlegenov  
Case No. D2025-3164

### **1. The Parties**

Complainant is Warp World Inc., United States of America (“United States”), represented by Frost Brown Todd LLC, United States.

Respondent is Nurlan Tlegenov, United States.

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

The disputed domain names <crowdcontrol.pro>, <crowdcontrol.social>, and <crowdcontrol.tech> (the “Domain Names”) are registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 7, 2025. On August 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On August 11, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names which differed from the named Respondent (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email to Complainant on August 13, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on August 18, 2025.

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 Respondent of the Complaint, and the proceedings commenced on August 19, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 8, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on September 11, 2025.

The Center appointed Robert A. Badgley as the sole panelist in this matter on September 16, 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**

According to the Complaint:

“Since at least as early as September 28, 2018, Complainant has used CROWD CONTROL® as a trademark (the “CROWD CONTROL Mark”) in connection with the provision of interactive tools for game streaming and content creation on a nationwide basis, and enjoys tremendous goodwill associated with the CROWD CONTROL Mark.”

According to Complainant's page at Streamlabs App Store:

“Crowd Control is an interactive app for streamers that lets their viewers send them power ups, spawn enemies, in-game. Effects can be sent with Crowd Control coins, that can be acquired through Twitch Bits and Credit Card payments or collected using Twitch's Channel Points, making it a highly-interactive and monetizable tool for streamers. Crowd Control is free, supports over 100 games and can be used on ANY platform including Twitch, YouTube, Kick, TikTok etc.”

Complainant owns a trademark registration for CROWD CONTROL with the United States Patent and Trademark Office, Reg. No. 7,390,445, registered on May 21, 2024, in connection with, among other things, “Downloadable computer software development tools; Downloadable computer software for enabling application extensions within web browsers for use in video games and streaming applications; [...] Software as a service (SAAS) services featuring software for use in software development, testing, and deployment, script development, testing, data analysis, and data visualization for use in video games and streaming applications; Software as a service (SAAS) services featuring software for enabling users to collaboratively stream and access video game content; Providing a website featuring non-downloadable software for enabling users to collaboratively stream and access video game content [...]”, with a first use date of September 28, 2018. Complainant filed this trademark application on November 21, 2022.

Complainant owns the domain name <crowdcontrol.live> to feature and sell its services. Complainant also features the mark CROWD CONTROL on various social media platforms.

The record does not contain much evidence regarding the degree to which Complainant's CROWD CONTROL was recognized by consumers as a source identifier for Complainant's services at the time the Domain Names were registered.

The Domain Names <crowdcontrol.social> and <crowdcontrol.tech> were registered on July 28, 2023, and the Domain Name <crowdcontrol.pro> was registered on October 16, 2024.

There is no website associated with two of the Domain Names, but the Domain Name <crowdcontrol.social> (which currently does not resolve to a website) previously resolved to a website featuring the banner: “YOUR PARTNER IN INFLUENCER-DRIVEN GROWTH MARKETING.” The site purported to offer marketing and web visibility enhancement services to clients. The bottom of the home page referred to a purported firm “US CRWDCTRL INC” with a street address in Austin, Texas.

Complainant alleges:

“Complainant recently became aware that Respondent registered Disputed Domain Names due to an inquiry received by one of Complainant's clients, wherein the client inquired whether Complainant was Respondent and/or related to Respondent. [...] As can be seen at Annex E, Respondent sent an email to one of

Complainant's customers from the domain name <crowdcontrol.pro> and used the domain name <crowdcontrol.social> in its signature line to promote Respondent's services. Thus, it is apparent that <crowdcontrol.pro> and <crowdcontrol.social> are under common control."

Complainant alleges further:

"Complainant thereafter investigated and reviewed the website associated with the <crowdcontrol.social> domain name and found that the website purports to provide influencer marketing services for game streamers and content creators."

In addition, Complainant alleges:

"Complainant continued its investigation and noted several oddities. One, the office address listed on the website associated with the <crowdcontrol.social> domain name is incomplete. In particular, the address listed on the website is merely an address to an apartment complex without identifying the apartment number. Two, while the website associated with the <crowdcontrol.social> domain name includes links for "Privacy Policy" and "Cookie Policy," these links are inoperable and lead the user to a blank page. Three, the company listed on the website associated with the <crowdcontrol.social> domain name, namely "US CRWDCTRL INC" is not registered to do business in any state within the United States. Four, an officer search on OpenCorporates under the name of the noted founder of Respondent, ["AK"], yielded 0 results. Five, the LinkedIn pages that purportedly belong to Respondent provide no further contact or other identifying information."

According to Complainant:

"[W]hile there are no websites associated with the <crowdcontrol.pro> and <crowdcontrol.tech> domain names, through its investigation Complainant found that both domains have or previously had MX records associated with the domains. [...] Respondent has used these MX records to send marketing emails to Complainant's clients that has already resulted in consumer confusion. [...]"

"Note that when Complainant began its investigation into the Domain Names on or around May 2025, the <crowdcontrol.tech> domain did have MX records associated with the domain and had an active email address for "[redacted]@crowdcontrol.tech." Indeed, counsel for Complainant sent an email to the "[redacted]@crowdcontrol.tech" email address on May 8, 2025, and the email went through without error. However, the MX records assigned to <crowdcontrol.tech> have since been removed and no copy of the records are available at this time."

Complainant's counsel sent Respondent (including the individual who sent the email to one of Complainant's clients, discussed above) a cease-and-desist letter on May 8, 2025. Among other things, Complainant's counsel wrote:

"It has recently come to Warp World's attention that CRWDCTRL has begun offering competing gaming services to streamers under the brand "Crowd Control," including advertisements sent to Warp World's own current customers, leading to consumer confusion. Images showing such misuse of the CROWD CONTROL Mark are attached as Exhibit B. Unsurprisingly, Warp World is very concerned with CRWDCTRL's use of an identical trademark for services that compete with Warp World's own services, to the very same consumer base."

Complainant received no reply to this letter.

Respondent has not denied any of the foregoing allegations, and has not challenged any of the evidence annexed to the Complaint.

## **5. Parties' Contentions**

### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

### **B. Respondent**

Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Names:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Names; and
- (iii) the Domain Names have been registered and are 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 Complainant's trademark and the Domain Names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Panel finds that Complainant has rights in the trademark CROWD CONTROL through registration and use demonstrated in the record. The Panel also finds that the Domain Names are identical to that mark.

Complainant has established Policy paragraph 4(a)(i).

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

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Names, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Names or a name corresponding to the Domain Names in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Names, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Names, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel concludes that Respondent lacks rights or legitimate interests in respect of the Domain Names. Respondent has not come forward in this proceeding, or in response to the May 8, 2025, cease-and-desist letter, to assert that it is a legitimate business with a legitimate and non-infringing basis for registering the Domain Names several years after Complainant first began using them. In the Panel's experience, it is unusual for a legitimate business to do nothing in the face of both a cease-and-desist letter and a UDRP complaint.

On the record presented, Respondent's existence as an actual business is open to doubt, its removal of MX records raises questions, and the fact that its employee sent an email to one of Complainant's clients suggests that, at a minimum, the Parties' targeted customer base overlaps to some degree.

This is not a slam-dunk case, though. Notwithstanding Complainant's allegation that the Parties are in competition, Respondent's purported core business does not appear to compete directly with Complainant's core business. Moreover, as noted above, Complainant did not provide evidence of the extent to which its CROWD CONTROL mark is renowned (or was renowned at the time the Domain Names were registered).

In sum, on this thin but undisputed record and on a balance of probabilities, the Panel finds it more likely than not that Respondent had Complainant's mark in mind when registering the Domain Names, and that Respondent registered them in order to impersonate Complainant for improper commercial gain. Such a finding cannot support a conclusion that Respondent has rights or legitimate interests vis-à-vis the Domain Names.

Complainant has established Policy paragraph 4(a)(ii).

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

Paragraph 4(b) of the Policy provides that the following circumstances, "in particular but without limitation," are evidence of the registration and use of the Domain Names in "bad faith":

- (i) circumstances indicating that Respondent has registered or has acquired the Domain Names primarily for the purpose of selling, renting, or otherwise transferring the Domain Names registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Names; or
- (ii) that Respondent has registered the Domain Names in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or
- (iii) that Respondent has registered the Domain Names primarily for the purpose of disrupting the business of a competitor; or
- (iv) that by using the Domain Names, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's website or other online location, by creating a likelihood of confusion with Complainant's mark as to the source, sponsorship, affiliation, or endorsement of Respondent's website or location or of a product or service on Respondent's website or location.

The Panel concludes, on the record provided here, that Respondent has registered and used the Domain Names in bad faith. The Panel incorporates its discussion above in the "Rights or Legitimate Interests" section. On the record presented here, and in the absence of any corroborating evidence from Respondent, the Panel concludes that Respondent registered the Domain Names in order to target Complainant and its trademark for improper commercial gain, in violation of the above-quoted Policy paragraph 4(b)(iv).

Complainant has established Policy paragraph 4(a)(iii).

## **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 <crowdcontrol.pro>, <crowdcontrol.social>, and <crowdcontrol.tech> be transferred to Complainant.

*/Robert A. Badgley/*

**Robert A. Badgley**

Sole Panelist

Date: September 30, 2025