

## **ADMINISTRATIVE PANEL DECISION**

Fenix International Limited v. Megan Davis  
Case No. D2025-3521

### **1. The Parties**

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

The Respondent is Megan Davis, United States of America.

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

The disputed domain name <2025toponlyfans.social> 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 August 29, 2025. On September 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 3, 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 September 4, 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 September 8, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 28, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 29, 2025.

The Center appointed Elizabeth Ann Morgan as the sole panelist in this matter on October 6, 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 <onlyfans.com> and has used its domain 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 Complainant has registered rights in the Mark, among them the European Union Intellectual Property Office (“EUIPO”) with Registration No. 017912377, registered on January 9, 2019, the United Kingdom Intellectual Property Office (“UKIPO”) with Registration No. UK00917946559, registered on January 9, 2019, and the United States Patent and Trademark Office (“USPTO”) with Registration No. 5769268 registered on June 4, 2019 and the Complainant has also developed extensive common law rights throughout the world.

In the European Union and United Kingdom, the Complainant has registrations in multiple classes for the ONLYFANS word and design marks. In the United States, the Complainant has registrations for the ONLYFANS, ONLYFANS.COM, and OFTV word marks in various classes (“Word Mark(s)”)2 and the lock logo and OF design marks (“Logo(s)”) (collectively, the “Marks”). The Complainant also holds International Registrations on the word and design marks under the Madrid Protocol, and Complainant has pursued further registrations across the world in numerous foreign countries. The Complainant’s earliest registered rights accrued on June 5, 2018.

Even disregarding the Complainant’s registered rights, the Complainant registered its domain name <onlyfans.com> on January 29, 2013, and has extensive common law rights in the Marks throughout the world that commenced by, at latest, July 4, 2016, well before the Respondent registered the disputed domain name on March 29, 2025.

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

#### **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 Respondent’s disputed domain name is identical or confusingly similar to the Complainant’s Marks. The disputed domain name consists of the Complainant’s exact Mark with the only difference being the insertion of the descriptive terms “2025” and “top” before the Complainant’s Mark. The Respondent’s use of the top level domain “.shop” in the disputed domain name does not sufficiently distinguish the disputed domain name from the Complainant’s Marks.

The Respondent cannot claim the right to use the disputed domain name under fair use, since it includes the Mark and the additional phrase “2025top” which creates a risk of implied affiliation by suggesting to users that the content and services and the disputed domain name contains an authorized or official list of “top” OnlyFans content creators for 2025.

Here the website at the disputed domain name advertises for “SextPanther,” which arranges for subscriptions to adult content in direct competition with the Complainant’s registered services. The SextPanther site linked from the disputed domain name also offers adult entertainment services in direct

competition with the Complainant's services, including providing entertainment services in the nature of a website featuring non downloadable video, photographs, images, audio, in the field of adult entertainment. Using a disputed domain name to host commercial websites that advertise goods and services in direct competition with the trademark owner does not give rise to legitimate rights or interests. Such use gives a false impression that the disputed domain name is associated with and/or endorsed by the Complainant and is capable of misleading and diverting visitors away from the Complainant

## **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 mark is reproduced 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.

Although the addition of other terms here, "2025" and "top", 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. Neither does the use of the top-level-domain ".social".

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.

Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation/passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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. In the present case, the Panel notes that the Respondent is intentionally attempting to attract for commercial gain Internet users by creating a likelihood of confusion with the Complainant's Mark.

Panels have held that the use of a domain name for illegitimate activity here, claimed impersonation/passing off constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, 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 <2025toponlyfans.social> be transferred to the Complainant.

*/Elizabeth Ann Morgan/*

**Elizabeth Ann Morgan**

Sole Panelist

Date: October 20, 2025