

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. xm space
Case No. D2025-3610

1. The Parties

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

The Respondent is xm space, United States.

2. The Domain Name and Registrar

The disputed domain name <onlyfansly.site> 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 September 5, 2025. On September 8, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 9, 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 September 10, 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 10, 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 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 5, 2025. The Respondent did not submit a formal response, however sent an email communication to the Center on September 15, 2025.

The Center appointed Ugur G. Yalçiner as the sole panelist in this matter on October 10, 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 a social media platform under the domain name <onlyfans.com>, which has been used for several years to allow users to post and subscribe to audiovisual content. The Complainant's domain name <onlyfans.com> was registered on January 29, 2013, and resolves to its official website at "www.onlyfans.com", operated by the Complainant and having more than 305 million registered users. The ONLYFANS trademark has been used extensively in connection with the Complainant's platform.

The Complainant is the owner of several trademark registrations consisting of the term "onlyfans", some of which are listed below:

- European Union Trade Mark registrations ONLYFANS with registration no. 017912377 (word mark) and 017946559 (figurative mark) registered on January 9, 2019, in classes 9, 35, 38, 41 and 42;
- United Kingdom trademark registrations ONLYFANS with registration no. UK00917912377 (word mark) and UK00917946559 (figurative mark), registered on January 9, 2019, in classes 9, 35, 38, 41 and 42;
- United States trademark registration ONLYFANS with registration no. 5769267, registered on June 4, 2019, in class 35.
- International Trademark registration ONLYFANS with registration no. 1507723, registered on November 2, 2019, in classes 9, 35, 38, 41 and 42;
- International Trademark registrations ONLYFANS with registration no. 1507723 and 1509110, registered on November 2, 2019, in classes 9, 35, 38, 41 and 42

The disputed domain name was registered on April 13, 2025. According to Annex D of the Complaint, at the time of filing, the disputed domain name resolved to a website displaying photographs of models and offering "escort" services in Turkish. As of the date of this Decision, the disputed domain name resolves to a parking page provided by the Registrar.

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 Complaint includes the following contentions:

(i) Identical or Confusingly Similar

The Complainant contends that the disputed domain name is identical or confusingly similar to the Complainant's trademarks, as the disputed domain name wholly incorporates the Complainant's mark ONLYFANS with the mere addition of the letters "LY," corresponding to the third-party mark "FANSLY," which does not prevent a finding of confusing similarity. The Complainant asserts that the addition of such elements, as well as the ".site" generic Top-Level Domain ("gTLD"), are insufficient to eliminate confusing similarity under the Policy, and therefore it has satisfied paragraph 4(a)(i) of the Policy.

(ii) Rights or Legitimate Interests

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, no affiliation with the Complainant and has not been authorized, licensed, or otherwise permitted to use the Complainant's trademarks. The Complainant also asserts that there is no evidence that the Respondent is commonly known by the disputed domain name or holds any trademark rights in it.

The Complainant asserts that its trademark has achieved global fame and success in a short time, which makes it clear that the Respondent knew of the Complainant's trademarks and knew that it had no rights or legitimate interests in the disputed domain name.

The Complainant alleges that the disputed domain name resolves to a website offering potentially illegal "escort" services and adult entertainment content 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, and ... in the field of adult entertainment.", which cannot constitute a bona fide offering of goods or services. Referring to prior panel decisions, the Complainant asserts that the use of a domain name for illegal or misleading purposes does not confer rights or legitimate interests on a respondent. Therefore, the Complainant submits that it has satisfied paragraph 4(a)(ii) of the Policy.

(iii) Registration and Use in Bad Faith

The Complainant contends that the Respondent registered and is using the disputed domain name in bad faith, the disputed domain name was registered long after the Complainant obtained its trademark rights and became widely known, given the global recognition of the ONLYFANS mark, the Respondent must have been aware of the Complainant's rights and intentionally sought to target its mark.

The Complainant alleges that the disputed domain name resolves to a website offering potentially unlawful "escort" and adult entertainment services in direct competition with the Complainant's platform, which demonstrates an attempt to attract users for commercial gain by creating a likelihood of confusion. The Complainant further asserts that the Respondent's failure to respond to the Complainant's cease-and-desist letter and use of a privacy shield further support a finding of bad faith. Accordingly, the Respondent registered and is using the disputed domain name in bad faith under paragraph 4(a)(iii) of the Policy.

B. Respondent

The Respondent sent an email communication to the Center on September 15, 2025, containing only a laughing emoji.

6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three elements are present:

- (i) the disputed domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests 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 a trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1. The Panel is satisfied that the Complainant is the owner of the trademark ONLYFANS registered in several jurisdictions.

The disputed domain name incorporates the Complainant's trademark ONLYFANS in its entirety, together with the additional letters "-ly". In this regard, the Panel considers that the mere addition of the letters at the end of the Complainant's trademark does not prevent the confusing similarity with the Complainant's trademark, as the Complainant's ONLYFANS trademark is recognizable within the disputed domain name. [WIPO Overview 3.0](#), section 1.8.

It is an accepted principle that Top-Level Domains ("TLDs"), in this case ".site", are to be typically disregarded in the consideration of the issue of whether a domain name is identical or confusingly similar to a Complainant's trademark. [WIPO Overview 3.0](#), section 1.11.

In the light of the above, the Panel finds that the disputed domain name is confusingly similar to the Complainant's registered trademark and that the requirements in paragraph 4(a)(i) of the Policy are fulfilled.

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 notes that the Respondent does not have any registered trademarks or trade names and no license or authorization of any other kind has been given to the Respondent by the Complainant to use its registered trademark. On the contrary, as evidenced by the Complainant's assertions and supporting documents, the Respondent has used the disputed domain name by displaying photographs of models and offering "escort" services, which may be regarded as a form of adult entertainment services, thereby creating a likelihood of confusion with the adult entertainment services provided by the Complainant.

The Panel is of the opinion that the Respondent's use of the disputed domain name, which incorporates the Complainant's trademark, for promoting "escort" services does not constitute a bona fide offering of goods or services under the Policy. Such conduct cannot give rise to any rights or legitimate interests in the disputed domain name on the part of the Respondent.

As a result, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name, and the requirements of paragraph 4(a)(ii) of the Policy are therefore fulfilled by the Complainant.

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 is satisfied with the relevant evidence filed by the Complainant showing that it owns trademark rights for ONLYFANS, which have been registered and used for many years prior to the registration of the disputed domain name.

The Panel considers that the Complainant's trademark is internationally well-known among the relevant public, as it has been recognized as such in numerous UDRP decisions cited in the Complaint, namely *Fenix International Limited v. WhoisGuard Protected, WhoisGuard, Inc. / Henry Chandler*, WIPO Case No. [D2021-0340](#); *Fenix International Limited v. Kiril Kirilov*, WIPO Case No. [D2021-0853](#); and *Fenix International Limited v. WhoisGuard, Inc., WhoisGuard Protected / Marry Mae Cerna*, WIPO Case No. [D2021-0327](#).

The Panel is of the opinion that it is implausible for the Respondent to be unaware of the Complainant and its well-known trademark when the disputed domain name was registered, and the Respondent's aim of the registration was to take an unfair advantage of the Complainant's trademark. Several UDRP panels have held that the mere registration of a domain name that is identical or confusingly similar 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.

The Panel is convinced that the purpose of the Respondent is to attract Internet users by creating a likelihood of confusion with the Complainant's trademark for potential commercial gain within the meaning or paragraph 4(b)(iv) of the Policy. This finding is supported by the Respondent's use of the disputed domain name to offer adult entertainment content, which is in direct competition with the services offered by the Complainant.

The Complainant alleges that it had sent a cease-and-desist letter to the Respondent on May 29, 2025, before filing the Complaint, but the Respondent has not responded to that letter. Referring to the Panel's consideration in *Bayerische Motoren Werke AG v. (This Domain is For Sale) Joshuathan Investments, Inc.*, WIPO Case No. [D2002-0787](#), and considering the reasons above, the Panel is of the opinion that the failure to reply to the Complainant's letter and to the Complaint further supports in the circumstances of this case the Panel's finding of bad faith.

Having considered all the facts in this case, the Panel finds that the Complainant has sustained its burden of proof in showing that the disputed domain name was registered and is being used in bad faith.

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 <onlyfansly.site> be transferred to the Complainant.

/Ugur G. Yalçiner/

Ugur G. Yalçiner

Sole Panelist

Date: October 23, 2025