

ADMINISTRATIVE PANEL DECISION

MediaMonks Multimedia Holding B.V. v. Aleksandar Simonovski
Case No. D2025-3713

1. The Parties

The Complainant is MediaMonks Multimedia Holding B.V., Netherlands (Kingdom of the), represented by Joffe & Associates, France.

The Respondent is Aleksandar Simonovski, North Macedonia, self-represented.

2. The Domain Name and Registrar

The disputed domain name <monks.agency> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 12, 2025. On September 12, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 12, 2025, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 22, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 12, 2025. The Response was filed with the Center on October 2, 2025. The Complainant requested a suspension of the proceedings on October 9, 2025, for the purpose of settlement discussions and then requested the proceedings be reinstituted on October 17, 2025. The proceedings were reinstituted on October 23, 2025. The Complainant submitted supplemental filings on October 15 and 23, 2025. The Respondent submitted supplemental filings on October 21 and 29, 2025.

The Center appointed W. Scott Blackmer as the sole panelist in this matter on November 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 is a private limited liability company established under the law of the Kingdom of the Netherlands and headquartered in Hilversum, Netherlands (Kingdom of the). Since 2001, the Complainant has been providing marketing and technology services, prominently digital content production, for a wide range of international clients. The Complainant employs more than 7,500 people in 32 countries and earned revenues exceeding GBP one billion in 2023.

The Complainant operates an English-language website at “www.monks.com”, acquired in December 2021 as part of its corporate reorganization and rebranding from “Media Monks” with a new focus on artificial intelligence (AI) and technology-driven client services. The Complaint attaches media articles about its position in the global digital creative industry from *Adweek* and *Campaign*.

The Complainant holds numerous MONKS and derivative trademark registrations, including the following:

Mark	Jurisdiction	Reg. Number	Reg. Date	International Class
MONKS (word)	Benelux	1432150	December 23, 2020	9, 16, 35, 38, 41, 42
MONKS (word)	International (multiple designations)	1645496	April 14, 2021	9, 16, 35, 38, 41, 42

The disputed domain name was created on November 14, 2022, and is registered to the Respondent Aleksandar Simonovski, listing no organization, a postal address in North Macedonia, and a Gmail contact email address. The Response attaches a Declaration of Aleksandar Simonovski, who identifies himself in the Declaration and in his email signature block as “Head of IT” for “Monks Agency”, an advertising agency based in Skopje, North Macedonia. In a supplemental filing the Respondent attaches a VAT certificate showing that the agency was registered in October 2022 and established a Monks Skopje Branch in September 2025.

The disputed domain name resolves to a colorful, English-language website (the “Respondent’s website”) headed “Monks.Agency” with the tagline, “WE ARE MONKSTERS” and the description, “Monks Agency Is an Independent Creative Agency Based in Skopje”. The home page states, “We strive for US market”, using “the latest AI tools and tactics”. The “Team” is identified by animal caricatures and pseudonyms such as “OG Monk” and “Lastee” rather than human names and photos. The “Contact” screen encourages visitors to submit their contact details and leave a message. However, there are no contact details for the website operator other than an email address using the disputed domain name, and the website operator is not identified other than as “Monksters”. There is no copyright notice, privacy notice, or legal terms page. The Respondent’s website has links to several social media pages. The Panel notes that the Respondent’s LinkedIn page displays a postal address and telephone number in Skopje and describes the agency as founded in 2022 and employing 11-50 persons.¹

¹Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 4.8.

Earlier versions of the home page of the Respondent's website were worded a little differently from the current version: the tagline read, "WE ARE NOT MONKS" in large capital letters, followed, in a smaller font, by "Something Like Monks, But on Steroids." An alternative version read as follows:

"WE ARE NOT MONKS. WE ARE MONKSTERS. Something Like Monks, But on Steroids. Perhaps not Steroids. But Chill and Enthusiastic about Marketing at the Same Time."

The Complaint attaches screenshots of this page in September 2025, and the Panel finds others dating from 2023 onward captured by the Internet Archive's Wayback Machine.

The Respondent's supplemental filing attaches an extract from the Central Registry of the Republic of North Macedonia showing that the Respondent was registered in 2022, as a limited liability company named Monk Marketing LLC, with a postal address in Skopje, and listing a "MONKS Skopje Branch" (all as transliterated by Google Translate).

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 disputed domain name is identical to its registered MONKS trademark, and that the use of the Top-Level Domain (TLD) "agency" heightens the likelihood of confusion with the Complainant, as the Complainant also offers services as a well-known advertising agency. The Complainant states that the Respondent has no association with the Complainant and no right to use the Complainant's mark. The Complainant argues that the Respondent's leading statement on its website ("We are not Monks. Something like Monks, but on steroids") is meant to refer to the Complainant and "is a blatant attempt to capitalize on the goodwill of the Complainant's established brand". The Complainant terms the Respondent's conduct "a clear case of parasitism and unfair competition", using the disputed domain name illegitimately and with intent to misleadingly divert consumers for commercial gain. The Complainant argues that the Respondent registered the disputed domain name after the Complainant registered its MONKS trademarks and "knew or should have known" about the Complainant's trademark rights.

In reply to the Respondent's supplemental filing attaching its VAT certificate, the Complainant noted that the form shows that the Respondent's advertising agency was incorporated using Cyrillic letters as MOHK MAPKETИHГ ДООЕЛ Скопје ("Monk Marketing DOOEL Skopje" – DOOEL being the equivalent of LLC or limited liability company). The Complainant observes that while the company was registered in October 2022, the "Monks Skopje Branch", as it appears on the form in English, was established on September 23, 2025, after this proceeding commenced. The Complainant infers that this was done merely to bolster the argument for legitimate use of the term "Monks" in the disputed domain name. The Complainant argues further that the Respondent's claim to legitimate interests only extends to its company name as registered in Cyrillic letters in North Macedonia, not as transliterated and emended to "monks" in English, which matches "a pre-existing, well-known international mark".

B. Respondent

The Respondent, which is not represented by legal counsel, contends that the Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name. The Respondent observes that the Complainant previously branded its services, consistent with its corporate name, as "MediaMonks" and only launched services under the MONKS mark in 2024, after the Respondent established its company in North Macedonia in October 2022 and registered the corresponding disputed

domain name in November 2022. The Respondent references a July 2024 media article annexed to the Complaint entitled “MediaMonks reorgs and rebrands to Monks, puts focus on AI-powered services”.

The Simonovski Declaration states that the disputed domain name was registered to reflect the company identity and has been issued continuously since, “serving mainly local clients”, and “has never been offered for sale, used to impersonate MediaMonks, nor registered as part of a pattern of .monks’-related domains” or “to mislead customers of the Complainant”. The Declaration explains the former slogan (“WE ARE NOT MONKS”) as a “tongue-in-cheek” phrase referring to the dictionary meaning of “monks” and suggesting that the Respondent has discipline and focus. The Declaration offered to “refine or standardize its disclaimers”.

The Respondent observes that the Complainant previously filed a UDRP complaint against the Respondent concerning this disputed domain name and two other domain names, *MediaMonks Multimedia Holding B.V. v. Aleksandar Simonovski, Hebert Salarole*, WIPO Case No. [D2025-2279](#). That proceeding was terminated by administrative procedural order, when the Complainant stated that it was unable to produce evidence as requested by the panelist within the required time period. The Respondent suggests that this lack of evidence undercuts the Complainant’s arguments for bad faith registration of the disputed domain name.

The Response argues that the former website slogan, “WE ARE NOT MONKS” referred to the Respondent’s discipline and focus but also had the effect of a disclaimer, avoiding confusion with the Complainant and therefore disproving bad faith. The Respondent observes that there is no evidence of actual consumer confusion. The Respondent also states that the disputed domain name has never been offered for sale or used for PPC (pay-per-click) advertising.

The Respondent requests a finding of Reverse Domain Name Hijacking, as the evidence shows that the disputed domain name was chosen independently according to the Respondent’s legitimate interests and registered before the Complainant’s rebrand to “Monks”.

6. Discussion and Findings

6a. Preliminary Issue: Supplemental Filings

The Rules provide for a Complaint and Response and do not contemplate supplemental filings. Paragraph 10 of the Rules gives the Panel the authority to “determine the admissibility, relevance, materiality and weight of the evidence”, and also to conduct the proceedings “with due expedition”. Paragraph 12 provides that it is in the Panel’s sole discretion to request further statements or documents from the parties. Unsolicited filings are generally discouraged and tend to be permitted exceptionally where additional supporting evidence is required, a relevant claim has not been addressed, or fairness calls for an opportunity to respond to the opposing party. [WIPO Overview 3.0](#), sections 4.6 and 4.7.

Here, in its first supplemental filing, the Complainant explains that it withdrew its earlier UDRP complaint, which named the disputed domain name and two other domain names, when it appeared that the other two domain names were registered by different registrants. This would appear to put this issue to rest, and the Panel accepts the Complainant’s first supplemental filing for this purpose. The Complainant goes on to argue that the Response does not demonstrate legitimate interests in the disputed domain name, such as a company registration or VAT certificate, and the Complainant largely re-argues its points on prior trademark registration and the Respondent’s use of a slogan that seems to be a form of “comparative advertising and parasitic referencing” to the Complainant. The Panel accepts this filing to the extent that it may be construed as a reply to the Respondent’s arguments for a finding of Reverse Domain Name Hijacking.

The Respondent replied by email with a supplemental filing attaching a copy of the VAT tax certificate from the Central Registry of the Republic of North Macedonia showing that Monk Marketing DOOEL Skopje (a DOOEL is a limited liability company) was registered in 2022 with a postal address in Skopje and listing a “MONKS Skopje Branch” (all as transliterated by Google Translate, in a version provided by the Complainant). The Respondent also attached a screenshot showing that the website slogan had been

updated to remove the “NOT MONKS” language that the Complainant found offensive. In an additional document, the Respondent repeats its arguments that it chose the business name and disputed domain name for its dictionary meaning relating to “discipline, focus, and dedication”, in October and November 2022, before the Complainant publicly presented itself as “Monks”, as verified by the VAT certificate, and therefore not in bad faith. Although these arguments are repetitious, the Panel accepts the filing by a Party not represented by counsel as it attaches the VAT certificate, which is relevant to the second and third elements of the Complaint.

The Complainant submitted a second supplemental filing, objecting to the Respondent's Macedonian VAT certificate without translation and furnishing a Google Translate version in English, offering several arguments based on that translation. The Panel accepts this filing in reply to new evidence furnished by the Respondent.

6b. Substantive Issues

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 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark (the registered MONKS word 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 identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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.

The Panel finds that, before notice to the Respondent of the dispute, the Respondent used the disputed domain name in connection with a “bona fide” offering of goods or services, the advertising services offered via the Respondent's website – at least in the sense of a genuine, i.e., actual, business offering because of the official VAT certificate dating from 2022, as well as the Respondent's website and long-established social media sites.² However, the Complainant suggests that the Respondent's registration of a similar company

²The Panel cannot determine on this record that the Respondent has also been “commonly known” by the name “Monks Agency” apart from the disputed domain name and the website name (see [WIPO Overview 3.0](#), section 3.4). That is not the precise company name (whether rendered in the Latin or Cyrillic alphabet), and the Respondent's branch by that name was only established a few weeks before this Decision.

name and offering of marketing services cannot be deemed “bona fide” in the more general sense because it was “parasitism and unfair competition,” and was always meant to exploit the Complainant's pre-existing MONKS mark.

Therefore, the Panel's conclusion on the second Policy element hinges on its assessment of the facts surrounding bad faith, discussed in the following section.

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. These all require a showing that the Respondent likely targeted the Complainant's mark, and the most pertinent example here is paragraph 4(b)(iv), intentionally creating confusion with the Complainant's mark to attract Internet users for commercial gain.

In the present case, it is undisputed that the Complainant registered MONKS as a word mark in 2020 and 2021 but had marketed its services for years under the MEDIAMONKS brand and was still doing so when the Respondent formed a company with the name MONK MARKETING (in Cyrillic letters), registered the disputed domain name, and published an English-language website advertising its marketing services as “Monks Agency” with the humorous statement that they were “NOT MONKS” but “MONKSTERS”. The Complainant says the Respondent, being in the same industry, “knew or should have known” about its trademark registrations in multiple countries (not including North Macedonia) in preparation for its rebranding, but there is no evidence that the Complainant had announced its rebranding by 2022 when the Respondent created a “Monk” company and registered the disputed domain name and started publishing its website. The Complainant was still using “www.mediamonks.com” as its website at that time. The Complainant acquired the domain name <monks.com> in December 2021, and the Panel notes that while the Wayback Machine entry for December 18, 2021 shows content for “media.monks” (using the URL and subdomain “media.monks.com”), that screenshots of the Complainant's new website at that address appear unchanged until July 2024, the same month when the media article produced by the Complainant reports on the Complainant's reorganization and rebranding (the same is announced on the Complainant's “monks.com” website).

It is entirely possible, given in particular the acquisition of the <monks.com> domain name at the end of 2021 and the registration of a number of MONKS trademarks in 2020 and 2021, that the Respondent and his colleagues were well aware of the Complainant in the same global, online marketing industry that they hoped to enter and meant to take advantage of the Complainant's reputation, using the more distinctive part of the MEDIAMONKS mark that was then in wider circulation. But this is a matter of trademark and/or unfair competition law which would require discovery and testimony and an opportunity to assess the credibility of witnesses that is only available in court. With the limited record available in this UDRP proceeding, the Panel is not prepared to disregard the sworn attestations of the Respondent.

The Panel finds the third element of the Policy has not been established.

Based on these facts, the Panel also confirms its finding that the second element of the Policy has not been established.

D. Reverse Domain Name Hijacking

Paragraph 15(e) of the Rules provides that, if after considering the submissions, the Panel finds that the Complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or to harass the domain-name holder, the Panel shall declare in its decision that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The mere lack of success of the complaint is not, on its own, sufficient to constitute reverse domain name hijacking. [WIPO Overview 3.0](#), section 4.16.

Here, as is noted above, the Complainant effectively claims at least unfair competition, if not trademark infringement and may seek to advance a case in a national court. But the Policy has limits and is not suited to discovery and cross-examination, and merely because the Complainant fails to prevail in this proceeding the Panel does not find that the Complaint was brought in bad faith and constitutes an abuse of the administrative proceeding. The Complainant also understandably questioned the Respondent's motives in employing the "NOT MONKS" slogan, which is ambiguous at best.

The request for a finding of Reverse Domain Name Hijacking is denied.

7. Decision

For the foregoing reasons, the Complaint is denied.

/W. Scott Blackmer/

W. Scott Blackmer

Sole Panelist

Date: November 24, 2025