

## **ADMINISTRATIVE PANEL DECISION**

Fenix International Limited v. lucas chagas

Case No. D2025-3719

### **1. The Parties**

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

The Respondent is lucas chagas, Brazil.

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

The disputed domain name <onlyfanss.store> 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 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 16, 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 (PrivacyProtect.org)) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 16, 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 16, 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 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 8, 2025. The Respondent sent email communications to the Center on September 22, 2025, and October 15, 2025.

The Center appointed Miguel B. O'Farrell as the sole panelist in this matter on October 15, 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.

On October 22, 2025, the Panel issued Administrative Panel Procedural Order No. 1 and pursuant to paragraph 17(a) of the Rules suspended the administrative proceeding until November 21, 2025, upon the Complainant's request sent to the Center on October 16, 2025.

The Panel then issued Administrative Panel Procedural Order No. 2 on November 27, 2025, ordering the reinstitution of the proceeding, upon the Complainant's request of November 21, 2025.

#### **4. Factual Background**

The Complainant owns and operates the website located at the domain <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, for which, in addition to owning common law rights it owns registered rights in many jurisdictions, including the following:

European Union Trademark Registration No. 017912377 ONLY FANS, registered on January 9, 2019, in classes 9, 35, 38, 41 and 42;

United Kingdom Trademark Registration No. UK00917912377 ONLY FANS, registered on January 9, 2019, in classes 9, 35, 38, 41 and 42;

United States Trademark Registration No. 5769267 ONLY FANS, registered on June 4, 2019, in class 35;

United States Trademark Registration No. 6253455 ONLY FANS, registered on January 26, 2021, in classes 9, 35, 38, 41 and 42.

The disputed domain name was registered on April 7, 2025, and resolves to a webpage offering adult entertainment services.

#### **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 it registered the <onlyfans.com> domain name on January 29, 2013, and has extensive common law rights in the trademark ONLYFANS throughout the world that commenced by, at latest, July 4, 2016, well before the Respondent registered the disputed domain name on April 7, 2025.

The Complainant's unregistered common law rights have been recognized in previous UDRP decisions as having accrued and acquired distinctiveness by no later than July 4, 2016.

In 2025, the Complainant's website at <onlyfans.com> is one of the most popular websites in the world, with more than 305 million registered users. Because the Complainant's website at <onlyfans.com> is one of the

most visited websites in the world, it has become a prime target for cybersquatters wishing to profit from the goodwill that Complainant has garnered in the trademark ONLYFANS. The Respondent is one such cybersquatter.

The Complainant contends that the Respondent has never been authorized by the Complainant to register a domain name similar to its trademark registrations. The Respondent has no rights or legitimate interests in respect of the disputed domain name.

Lastly, the Complainant claims that the disputed domain name was registered and is being used in bad faith.

The Complainant requests the Panel to issue a decision ordering the transfer of the disputed domain name to the Complainant.

## **B. Respondent**

The Respondent did not submit a formal Response. However, the Respondent sent emails to the Center informing that it had no intention to defend the case but rather it was prepared to transfer the disputed domain name to the Complainant. However, since the transfer never took place the Panel proceeds to resolve the matter.

## **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.

The addition of the letter "s" after the term "fans" in the disputed domain name does not prevent a finding of confusing similarity with the Complainant's mark.

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, the fact that the Respondent has expressed the view not to defend the case and to transfer the disputed domain name to the Complainant (although this finally did not take place) clearly indicates that it does not even claim to have any rights or legitimate interests in the disputed domain name.

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.

The Panel is satisfied that the Respondent must have been aware of the Complainant's trademark ONLYFANS mentioned in section 4 above (Factual Background) when it registered the disputed domain name on April 7, 2025. By that time, the Complainant had long ago registered and intensely used the trademark ONLYFANS in many jurisdictions.

The Panel also finds that by registering the disputed domain name which includes the Complainant's trademark ONLYFANS in its entirety the Respondent was targeting the Complainant and its business. The addition of the Top-Level Domain ".store" only contributes to confuse Internet users and leads them to think that the Respondent's website belongs to or is endorsed by the Complainant with the intention to capitalize on the fame of the Complainant's trademark for its own benefit.

Further, the fact that there is a clear absence of rights or legitimate interests coupled with no credible explanation for the Respondent's choice of the disputed domain name and the nature of the disputed domain name, are indicative of bad faith (as stated in section 3.2.1 of the [WIPO Overview 3.0](#)).

The Panel notes the use of the disputed domain name to offer services in competition with the Complainant's services. Therefore, the Panel finds that this affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website at the dispute domain name. This is all evidence of bad faith registration and use of the disputed domain name as stated in paragraph 4(b)(iii) and (iv) of 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 <onlyfans.store> be transferred to the Complainant.

*/Miguel B. O'Farrell/*

**Miguel B. O'Farrell**

Sole Panelist

Date: December 3, 2025