

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Luiza Tereza
Case No. D2025-4137

1. The Parties

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

The Respondent is Luiza Tereza, Brazil.

2. The Domain Name and Registrar

The disputed domain name <onlyfans-cash.pro> 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 October 9, 2025. On October 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 13, 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 (REDACTED) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 14, 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 October 14, 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 October 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on November 6, 2025.

The Center appointed Mireille Buydens as the sole panelist in this matter on November 12, 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 at the domain name <onlyfans.com> – registered on January 29, 2013 – that allows users to post and subscribe to adult content worldwide. In 2025, the website “www.onlyfans.com” operated by the Complainant is one of the most popular websites in the world, with more than 305 million registered users.

The Complainant is the owner of several trademark registrations for ONLYFANS (the “Trademark”), including the following:

- European Union trademark registration No. 017912377 for ONLYFANS (word mark), registered on January 9, 2019, in international classes 9, 35, 38, 41, and 42;
- United States trademark registration No. 5769267 for ONLYFANS (word mark), registered on June 4, 2019, in international class 35;
- International trademark registration No. 1507723 for ONLYFANS (word mark) registered on November 2, 2019, in international classes 9, 35, 38, 41, and 42, notably covering Brazil

The Complainant also claims to have common law rights in the Trademark throughout the world that commenced by July 4, 2016.

The Complainant claims to have sent a cease-and-desist letter to the Respondent on July 24, 2025, but it appears from the evidence filed by the Complainant that this letter does not concern the disputed domain name.

The disputed domain name was registered on May 18, 2025. According to the Complaint, the website at the disputed domain name offers adult entertainment services in direct competition with the Complainant’s services (in the field of adult entertainment services) to consumers apparently located in Brazil (as the website is in Portuguese and the prices are in Brazilian Reals). At the time of this decision, the disputed domain name directs to a page offering its owner to “manage” the disputed domain name and seems therefore to be passively hold.

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.

First, the Complainant asserts that it owns registrations for the Trademark. The Complainant also asserts that it registered the <onlyfans.com> domain name on January 29, 2013, and has extensive common law rights in the Trademark throughout the world that commenced by, at latest, July 4, 2016, well before the Respondent registered the disputed domain name. The disputed domain name is confusingly similar to the Complainant’s Trademark. The disputed domain name consists of the Complainant’s Trademark with the only difference being the insertion of an hyphen followed by the descriptive term “cash” after the Complainant’s Trademark, which does nothing to avoid confusing similarity. The generic Top-Level Domain (“gTLD”) “.pro” in the disputed domain name should be disregarded as the applicable Top Level Domain (“TLD”) in a domain name is viewed as a standard registration requirement.

Second, the Complainant asserts that the Respondent lacks rights or legitimate interests in the disputed domain name. 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 Trademark in the disputed domain name or in any other manner. The Respondent is not commonly known by the Trademark and does not hold any trademarks for the disputed domain name. The Complainant further asserts that the Respondent cannot claim the right to use the disputed domain name under fair use, since the disputed domain name includes its well-known Trademark and an additional descriptive term “cash”. Besides, the Complainant contends that the website at the disputed domain name offers adult entertainment services in direct competition with the Complainant’s services, which does not give rise to legitimate rights or interests. The Complainant also asserts that the website at the disputed domain name could potentially offer illegal services.

Third, the Complainant asserts that the disputed domain name was registered and is being used in bad faith. The Complainant submits that the Trademark (which predates the registration of the disputed domain name) is a well-known Trademark. At the time of registration of the disputed domain name, the Respondent knew, or at least should have known, of the existence of the Complainant's Trademark. Besides, the Respondent registered the confusingly similar disputed domain name to offer services in direct competition with the Complainant (adult content). The Complainant further contends that the address provided in the Whois records appears incomplete, if not fictional. Finally, the Complainant explains that the disputed domain name directs to a website that would phish for users’ personal information. The Complainant also asserts that it would have addressed a cease-and-desist letter to the Respondent.

B. Respondent

The Respondent did not reply to the Complainant’s contentions.

6. Discussion and Findings

Dealing with the Respondent’s failure to file a response to the Complaint, paragraph 14(b) of the Rules provides that if a party, in the absence of exceptional circumstances, does not comply with a provision of, or requirement under these Rules, the panel shall be entitled to draw such inferences from this omission, as it considers appropriate.

Paragraph 4(a) of the Policy provides that the Complainant proves each of the following three elements in order to succeed in its Complaint:

- (i) the disputed domain name 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 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 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.

Based on the available record, the Panel finds 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 finds the entirety of the Trademark is reproduced within the disputed domain name. The disputed domain name reproduces the Trademark in its entirety with the addition of an hyphen followed by the term “cash” after the Complainant’s Trademark. Accordingly, the disputed domain name is confusingly similar to the ONLYFANS Trademark for the purposes of the Policy. See [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here the insertion of the term “cash” may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain names and the Trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Further, the general Top-Level Domain (“gTLD”) “.pro” is a standard registration requirement and does not prevent the disputed domain name from being identical to the ONLYFANS Trademark. [WIPO Overview 3.0](#), section 1.11.1.

Based on the available record, 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.

The Respondent is not licensed by, nor affiliated with, the Complainant in any way. There is no evidence that the Respondent is commonly known by the disputed domain name, nor is there any evidence of use or demonstrable preparations to use the disputed domain name for a bona fide offering of goods or services. There is no evidence of legitimate noncommercial or fair use of the disputed domain name, either. On the contrary, the Panel notes that the disputed domain name reproduces the ONLYFANS Trademark in its entirety with the mere addition of an hyphen followed by the descriptive term “cash”, for offering services that are similar to those offered by the Complainant, namely adult entertainment services. As a result, the disputed domain name carries a risk of implied affiliation, which cannot constitute fair use as it suggests sponsorship or endorsement by the Complainant.

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 disputed domain name contains the Complainant's widely-known Trademark, which is also registered in Brazil (where the Respondent is located) and which predates the registration of the disputed domain name. The composition of the disputed domain name is well-suited to mislead Internet users, as it includes the Trademark in its entirety with the mere addition of an hyphen followed by the term "cash", which is usual and descriptive. The Panel further notes that the disputed domain name directs to a website offering services similar to those provided by the Complainant, namely adult entertainment services. The website under the disputed domain name apparently targets Internet users in Brazil (as it is in Portuguese and the prices are labelled in Brazilian Reals). As a result, Internet users could unduly believe that these disputed domain name resolves to the Complainant's Brazilian website or at least to a Brazilian website endorsed by the Complainant. It is highly unlikely that the Respondent was not aware of the Complainant's well-known Trademark at the time of registration of the disputed domain name. The fact that the disputed domain name contains the well-known Complainant's Trademark in its entirety for offering similar services confirms that the Respondent likely knew about the Complainant and its Trademark. By registering and using the disputed domain name, the Respondent has sought to create a misleading impression of association with the Complainant. The Respondent has used the disputed domain name to abusively attract Internet users on its website, thereby using the Complainant's reputation in the field of adult entertainment services.

Currently, the disputed domain name is passively held. Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. Having reviewed the available record, the Panel finds the non-use of the disputed domain name does not prevent a finding of bad faith in the circumstances of this proceeding. Although panelists will look at the totality of the circumstances in each case, factors that have been considered relevant in applying the passive holding doctrine include: (i) the degree of distinctiveness or reputation of the complainant's mark, (ii) the failure of the respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and (iii) the respondent's concealing its identity or use of false contact details (noted to be in breach of its registration agreement) and (iv) the implausibility of any good faith use to which the domain name may be put. [WIPO Overview 3.0](#), section 3.3.

Having reviewed the available record, the Panel notes the distinctiveness of the Complainant's Trademark and the composition of the disputed domain name, and the failure of the Respondent to submit a response. The Panel finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Therefore, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Based on the available record, 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-cash.pro> be transferred to the Complainant.

/Mireille Buydens/

Mireille Buydens

Sole Panelist

Date: November 17, 2025