

## **ADMINISTRATIVE PANEL DECISION**

BLACKGPT v. John Pasmore, JP Next, Inc  
Case No. D2025-4144

### **1. The Parties**

Complainant is BLACKGPT, United States of America (“United States”), internally represented.

Respondent is John Pasmore, JP Next, Inc, United States.

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

The disputed domain name <theblackgpt.com> (the “Domain Name”) 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 October 9, 2025. On October 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On October 13, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (John Pasmore, Latimer.ai c/o Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email to Complainant on October 14, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on October 22, 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 Respondent of the Complaint, and the proceedings commenced on October 23, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 12, 2025. Respondent sent an email to the Center on October 14, 2025, stating, “What do you need from me.”

The Center appointed Robert A. Badgley as the sole panelist in this matter on November 17, 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

According to the Complaint:

“The Complainant is the owner of the BLACKGPT® trademark and is actively engaged in the business of providing artificial intelligence services, WHEREIN: Software as a service (SaaS) services featuring software using artificial intelligence; specifically, Chatbot software that incorporates machine learning for simulating conversation; Providing temporary use of on-line non-downloadable software and applications using artificial intelligence for natural language processing and response generation. The Complainant embodies these services under the BLACKGPT® brand, which has been in use since at least January 7, 2023.”

Complainant holds a registered trademark with the United States Patent and Trademark Office (“USPTO”) for the word mark BLACKGPT, USPTO Reg. No. 7,860,095, registered on July 8, 2025 in connection with, among other things, “software as a service (SaaS) services featuring software for artificial intelligence; Chatbot software using artificial intelligence for simulating conversation” with a January 7, 2023 claimed date of first use. The USPTO registration states that the claimed date of first use *in commerce* is December 6, 2024.

Complainant owns the domain name <blkgt.com> and asserts that it has used that domain name since February 9, 2023, to host its commercial website. Annexed to the Complaint is a screenshot of Complainant’s website, which bears a copyright notice dated 2025. There is no contemporaneous evidence in the record of Complainant using the BLACKGPT mark at any time, either at this website or otherwise, prior 2025.

There is no evidence in the record of how well-known Complainant’s BLACKGPT mark is today or was at the time the Domain Name was registered.

The Domain Name was registered on May 8, 2023. The Domain Name redirected to Respondent’s commercial website, which features the company name “LATIMER” and the banner “AI FOR EVERYONE.” The home page states: “Latimer’s mission is to build empathetic and inclusive thinking machines.”

The record – provided entirely by Complainant – contains various quotations from Respondent in media interviews in which he stated that one of his goals was to ensure that AI be developed to avoid bias by including the perspectives of “black and brown” people, whose perspectives might otherwise be underrepresented in the field of AI. As will be seen below, the record contains evidence that third parties, including the media, have at times referred to Respondent as “the Black GPT”.

According to one media article annexed to the Complaint published in February 2024, Respondent’s company Latimer first started by partnering, licensing with, and selling to higher education platforms. The article states that Latimer then moved into various commercial opportunities, quoting Respondent as follows: “The most frequent request on the commercial side is from marketers, whether it’s brands or agencies, even healthcare or drug companies, that want to speak in a more authentic voice to Black and Brown people.”

By July 18, 2023, someone representing or affiliated with Complainant had sent Respondent an instant message (apparently via a social media platform), because on that date Respondent replied: “Not sure how we both landed on Black GPT – but we did / am going to explore other brand as I spoke to Keith – all the best.”

On December 4, 2023, Complainant's representative wrote to Respondent, apparently on this same text thread: "You know I own the BlackGPT IP. Stop using it man. You are confusing the marketplace."

Later that day, Respondent wrote back: "As you may know, we're building a business around Latimer.ai, and the parent of this entity is FutureSum AI, Inc." Respondent asked Complainant to direct further comments to Latimer's counsel, whom he identified by name and contact information.

On July 18, 2025 (ten days after Complainant's mark was registered by the USPTO), Complainant sent a cease-and-desist letter to Respondent's counsel, stating that Complainant held a registered trademark BLACKGPT and asserting that the mark "has been in active commercial use since 2022." The record contains no corroborating evidence that the mark was used commercially and actively in 2022. As noted above, Complainant's USPTO registration certificate for that mark indicates a January 7, 2023 date of first use and a December 6, 2024 date of first use in commerce.

There is no evidence of any reply by Respondent to this cease-and-desist missive.

## **5. Parties' Contentions**

### **A. Complainant**

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name. Complainant asserts:

"The Respondent's registration of <theblackgpt.com> in May 2023 occurred only after the Complainant had established common-law trademark rights through first use (January 7, 2023), filed for federal registration (February 8, 2023), and secured its primary domain, (February 9, 2023). Registering a confusingly similar domain with full knowledge of these pre-existing rights constitutes a classic case of bad faith registration under the UDRP." [...]

"The Complainant submits that the Respondent is the sole entity responsible for the disputed domain name and no other individual or entity is subject to this dispute; however, this is corroborated by Exhibit 6, that a public statement from an investor (The name has been redacted for privacy purpose), which explicitly promotes Latimer AI (The Respondent) as 'known as the BlackGPT.' (The Complainant's earlier registered mark). This public endorsement confirms the Respondent's deliberate use of the Complainant's trademark for its own commercial promotion and fundraising activities." [...]

"The Complainant has submitted Exhibit-9, a copy of the press release distributed via PR Newswire on October 19, 2023, officially announcing the launch of the Respondent's service, Latimer. Crucially, the Respondent itself deliberately branded its product as 'the Black GPT' within the release, directly appropriating the Complainant's distinctive trademark for commercial promotion. This authoritative, public dissemination to media and investors demonstrates the Respondent's intentional strategy to associate its AI platform with the goodwill and recognition of the BLACKGPT™ name from its inception. This act constitutes a clear and formalised use in commerce, underscoring the Respondent's bad faith in creating a direct association with the Complainant's mark to gain an unfair competitive advantage." [...]

"The Complainant submits compelling evidence demonstrating that the unauthorised use of the BLACKGPT mark is not merely the result of third-party media reporting, but is actively driven by the Respondent itself. The Respondent's own CEO, John Pasmore, is quoted in a Business Insider feature explicitly promoting the company as "affectionately known as 'The BlackGPT.'" This direct, on-the-record statement proves the Respondent is centrally involved in marketing and promoting its services using the Complainant's trademark, constituting a deliberate and bad faith appropriation of the mark for its own commercial positioning." [...]

"The Complainant, to corroborate its claims, has further attached two such press releases from BUSINESS INSIDER dated Feb 23, 2024 with Title: 'Generative AI startup Latimer, known as the "BlackGPT", will launch

a new bias detection tool and API' as EXHIBIT-10, wherein the Respondent's own promotional materials and executive statements claim the 'BlackGPT' identity."

Complainant then includes a number of quotes from Respondent, including:

"The move-fast, break-things energy in AI created an opportunity for Latimer. [...] The focus was on speed and developing what some consider reasoning capabilities, more so than guardrails, bias, offending anybody, or getting things accurate about certain people. This has created an opportunity for us." [...]

"Black and Brown publishers want to both financially benefit from having produced this content but also don't want the content to be so siloed, that you can only get accurate information from one place, even if it's Latimer. "

Complainant states further:

"The Complainant has further submitted an additional Business Insider article, dated March 28, 2024, and included in EXHIBIT-10, which is titled "In an ocean of white data, this founder is trying to make AI less biased. Just don't call it 'BlackGPT.'" This article directly captures the Respondent making commercial statements linked to the Complainant's mark, including his acknowledgment of the 'BlackGPT' nickname in a business context. The very title, instructing readers 'Just don't call it 'BlackGPT,'" demonstrates that the Respondent's use of the Complainant's mark had become so prevalent that it required a public statement, further evidencing the deep market confusion and commercial association he had cultivated."

Complainant also annexes to the Complaint a November 5, 2024, blog post apparently accusing Respondent's company Latimer of some kind of misconduct. The post is entitled: "Is Latimer AI, aka 'The Black GPT' .... SCAMMING HBCUS?????"

According to Complainant, the content of this blog post "explicitly links the Respondent's service, Latimer AI, to the nickname 'The Black GPT' and levels serious public allegations against it, demonstrating that the Respondent's actions have caused the Complainant's mark to be publicly associated with scandal and distrust."

## **B. Respondent**

Aside from Respondent's email communication to the Center on October 14, 2025, stating, "What do you need from me", Respondent did not reply to Complainant's contentions.

## **6. Discussion and Findings**

Paragraph 4(a) of the Policy lists the three elements which Complainant must satisfy with respect to the Domain Name:

- (i) the Domain Name is identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Name; and
- (iii) the Domain Name has been registered and is being used in bad faith.

### **A. Identical or Confusingly Similar**

The Panel finds that Complainant has rights in the mark BLACKGPT through registration demonstrated in the record. The Panel also concludes that the Domain Name is confusingly similar to that mark. The Domain Name entirely incorporates the mark BLACKGPT and adds the definite article "the." In the Panel's view, Complainant's trademark remains easily recognizable within the Domain Name, notwithstanding the additional text.

Complainant has established paragraph 4(a)(i) of the Policy.

## **B. Rights or Legitimate Interests**

Pursuant to paragraph 4(c) of the Policy, Respondent may establish its rights or legitimate interests in the Domain Name, among other circumstances, by showing any of the following elements:

- (i) before any notice to you [Respondent] of the dispute, your use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services; or
- (ii) you [Respondent] (as an individual, business, or other organization) have been commonly known by the Domain Name, even if you have acquired no trademark or service mark rights; or
- (iii) you [Respondent] are making a legitimate noncommercial or fair use of the Domain Name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

The Panel declines to decide this issue, given its ruling below on the “Bad Faith” element. The Panel might have been inclined to address this “Rights or Legitimate Interests” element even though it would not have been necessary, but Respondent did not submit a Response in this proceeding to assert his bona fide and back them up with evidence. (Curiously, though, Complainant was well on its way to establishing – by its own evidence and arguments – that Respondent was commonly known by the Domain Name within the meaning of the above quoted Policy paragraph 4(c)(ii).)

Given Respondent’s non-participation in this proceeding, the close geographical proximity of the two Parties, and their overlapping businesses, the Panel cannot rule out the possibility that Respondent lacked a legitimate interest in respect of the Domain Name. Again, however, the Panel will not decide this issue.

## **C. Registered and Used in Bad Faith**

Paragraph 4(b) of the Policy provides that the following circumstances, “in particular but without limitation,” are evidence of the registration and use of the Domain Name in “bad faith”:

- (i) circumstances indicating that Respondent has registered or has acquired the Domain Name primarily for the purpose of selling, renting, or otherwise transferring the Domain Name registration to Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of its documented out of pocket costs directly related to the Domain Name; or
- (ii) that Respondent has registered the Domain Name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or
- (iii) that Respondent has registered the Domain Name primarily for the purpose of disrupting the business of a competitor; or
- (iv) that by using the Domain Name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent’s website or other online location, by creating a likelihood of confusion with Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of Respondent’s website or location or of a product or service on Respondent’s website or location.

The Panel concludes that Respondent did not register the Domain Name in bad faith. Having so concluded, and given the UDRP’s conjunctive requirement of bad faith registration and use, the Panel need not discuss Respondent’s use of the Domain Name.

As noted above, the Domain Name was registered on May 8, 2023. As of that date, according to the record presented by Complainant and reflected in its USPTO filings, it first used the mark BLACKGPT only four months earlier and would not use that mark in commerce for 19 months after the Domain Name was registered. (The Panel also notes Complainant’s reference in its July 18, 2025, cease-and-desist letter to having used the mark actively in commerce since 2022, but that claim has no support in the record

provided.) Complainant provided no evidence of its use of the mark prior to May 8, 2023, much less evidence that its use was sufficiently extensive to give rise to the inference that someone in Respondent's position would likely have been aware of the mark. Without any such evidence and given the fact that BLACKGPT is a combination of two fairly common terms rather than a coined word, there is little basis upon which to conclude that Respondent more likely than not had Complainant's mark in mind when registering the Domain Name.

Complainant may have been better off engaging a lawyer acquainted with the UDRP, which is in several key respects fundamentally different from a trademark infringement or unfair competition claim. Complainant's arguments and evidence did not appear well suited to a successful UDRP outcome, and in some senses actually made Respondent's undefended case stronger. Whether Complainant has a viable claim under some legal theory in some other forum is not for this Panel to say. In any event, absent a finding that the Domain Name was registered in bad faith, the Complaint must fail.

## **7. Decision**

For the foregoing reasons, the Complaint is denied.

*/Robert A. Badgley/*

**Robert A. Badgley**

Sole Panelist

Date: December 1, 2025