

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Ibrahim Ghazali, Ibrahim
 Ghazali
Case No. D2025-4199

1. The Parties

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

The Respondent is Ibrahim Ghazali, Ibrahim
 Ghazali, Ethiopia.

2. The Domain Name and Registrar

The disputed domain name <onlyhabeshafans.com> is registered with Cosmotown, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 13, 2025. On October 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 17, 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 (registrant- onlyhabeshafans.com) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 17, 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 17, 2025.

On October 21, 2025, the Respondent sent an informal communication to the Center indicating that he is a web hosting provider and that he registered the disputed domain name on behalf of a client. The Complainant further to this communication, filed a second amendment to the Complaint.

The Center verified that the Complaint together with the amendments 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 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 18, 2025.

The Center notified the commencement of panel appointment process on November 19, 2025.

The Center appointed Jeremy Speres as the sole panelist in this matter on November 24, 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 has, since 2016, operated a subscription based social media platform under its ONLYFANS mark at the domain name <onlyfans.com> that allows users to post and subscribe to audio-visual content.

The Complainant has registered rights in the ONLYFANS mark in many jurisdictions, including United Kingdom Trademark Registration No. UK00917912377 ONLYFANS (word) in classes 9, 35, 38, 41, and 42, with a registration date of January 9, 2019. The Complainant's mark has been recognized as being well known in numerous prior UDRP cases (e.g., *Fenix International Limited v. Domains By Proxy, LLC / Carolina Rodrigues, Fundacion Comercio Electronico*, WIPO Case No. [D2020-3447](#)).

The disputed domain name was registered on June 13, 2025, and currently resolves to a website entitled "OnlyHabeshaFans" offering users the ability to start their own "premium creators platform" and offering fans the ability to view creators' content.

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 was registered and has been used in bad faith in order to take advantage of confusion with the Complainant's mark for the Respondent's commercial gain.

B. Respondent

The Respondent did not reply substantively to the Complainant's contentions, other than to state that he is a web hosting provider and that he registered the disputed domain name on behalf of a client, who he identified in his response.

6. Discussion and Findings

A. Preliminary Issue – Respondent Identity

In light of the Respondent's statement concerning a possible underlying beneficial holder of the disputed domain name, the Panel must consider the Respondent's identity.

The Panel notes that paragraph 1 of the Rules defines "Respondent" as "the holder of a domain-name registration against which a complaint is initiated" and that the appointed panel retains discretion to determine the respondent against which the case should proceed. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.4.5.

In exercising their discretions in similar circumstances, previous UDRP panels generally considered, among others, (i) whether the identity of the beneficial holder is disclosed, (ii) whether the beneficial holder submits arguments explaining its position, or (iii) whether the relationship between the registrant of the domain name and the beneficial holder is clear. *Bryan Cave Leighton Paisner LLP v. Job*, WIPO Case No. [D2020-0592](#).

Here, the alleged beneficial holder has not responded. The Respondent has also not supplied any evidence in support of its contention regarding an underlying beneficial holder.

The Panel therefore is not in a position to assess whether the Respondent's claims in this regard are more or less likely to be true on balance of probabilities.

B. 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 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 and remains recognizable, albeit divided into two parts. 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 interspersing of other terms within a mark, as in this case, has typically not been found to avoid confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.9.

The Panel finds the first element of the Policy has been established.

C. 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.

For the reasons discussed in relation to bad faith below, it is likely that the Respondent registered the disputed domain name to take advantage of confusion with the Complainant's mark. The Respondent's registration and use of the disputed domain name in these circumstances cannot represent a bona fide offering of goods or services under paragraph 4(c)(i) of the Policy and cannot confer rights or legitimate interests. *Sistema de Ensino Poliedro Vestibulares Ltda., Editora Poliedro Ltda. v. Anonymize, Inc. / STANLEY PACE*, WIPO Case No. [D2022-1981](#).

The Panel finds the second element of the Policy has been established.

D. 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.

For the following reasons, the Panel finds that it is more likely than not that the Respondent registered and has used the disputed domain name to take advantage of confusion with the Complainant's mark for the Respondent's commercial gain, falling squarely within paragraph 4(b)(iv) of the Policy.

UDRP panels have consistently found that registration of a domain name that is confusingly similar to a famous or well-known trademark by an unaffiliated entity, as in this case, can by itself create a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.

The disputed domain name's website would appear to compete with the Complainant directly, as set out in the Factual Background section above. This shows a familiarity by the Respondent with the Complainant's industry in circumstances where the Complainant's mark is well known within that industry. It is thus quite unlikely that the Respondent was not aware of the Complainant and the risk of confusion. The disputed domain name itself suggests that it is the Complainant's Ethiopian presence – the term "Habesha" refers to an ethnic group within Ethiopia. In light of the Complainant's mark's reputation, there is no conceivable good faith use of the disputed domain name that would not be likely to lead to confusion with the Complainant's mark. This all points to bad faith targeting. [WIPO Overview 3.0](#), section 3.1.4.

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 <onlyhabeshafans.com> be transferred to the Complainant.

/Jeremy Speres/

Jeremy Speres

Sole Panelist

Date: November 26, 2025