

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Tuny Forst

Case No. D2025-4636

1. The Parties

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

The Respondent is Tuny Forst, Russian Federation.

2. The Domain Name and Registrar

The disputed domain name <onlyfanleaks.net> (the “Domain Name”) is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on November 7, 2025. On November 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On November 11, 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 (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 11, 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 November 11, 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 November 17, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 7, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 8, 2025.

The Center appointed Gregor Vos as the sole panelist in this matter on December 11, 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 the owner and operator of a social media platform accessible through the domain name <onlyfans.com>, which has been registered since January 29, 2013. The platform allows users to post and subscribe to audiovisual content, including in the field of adult entertainment.

The Complainant is the owner of *inter alia* the following trademark registrations (hereinafter referred to as: the "Trademarks"):

- European Union trademark registration No. 017912377 for ONLYFANS registered on January 9, 2019; and
- United States trademark registration No. 5769267 for ONLYFANS registered on June 4, 2019.

The Domain Name was registered on June 30, 2025. At the time of the filing of the Complaint, the Domain Name resolved to a website on which leaked OnlyFans adult entertainment content was advertised and that linked to other adult entertainment services. Currently, the Domain Name does not resolve to an active website.

5. Parties' Contentions

A. Complainant

The Complainant seeks that the Domain Name is transferred to the Complainant. The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, the Complainant contends that the Domain Name is identical or confusingly similar to the Trademarks of the Complainant, the Respondent has no rights or legitimate interests in the Domain Name, and the Domain Name has been registered and is being used in bad faith.

Firstly, according to the Complainant, the Domain Name is identical or confusingly similar to its Trademarks. The Domain Name consists of the singular form of the Trademarks plus the insertion of the descriptive term "leaks" and the generic Top-Level Domain ("gTLD") ".net". This does not prevent a finding of confusing similarity.

Secondly, the Complainant asserts that the Respondent has no rights or legitimate interests in the Domain Name. The Complainant has not granted the Respondent any authorization, license or consent to use the Trademarks in the Domain Name or to imply any connection with the Complainant. Furthermore, the Respondent is not commonly known by the Domain Name but uses the Domain Name to host a commercial website that advertises leaked content from the Complainant's website, as well as services in direct competition with the Complainant.

Finally, according to the Complainant, the Respondent has registered and is using the Domain Name in bad faith. The Complainant contends that the Trademarks are well-known and predate the registration of the Domain Name, creating a presumption of bad faith. The Domain Name was registered in order to divert Internet traffic from the Complainant's site to a website offering similar services, namely adult entertainment content, including content from the Complainant's platform. Furthermore, the Respondent failed to respond to a cease-and-desist letter sent by the Complainant and concealed its identity behind a Whois privacy service, which constitutes additional evidence of bad faith registration and use.

B. Respondent

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

6. Discussion and Findings

For the Complainant to succeed, it must prove, within the meaning of paragraph 4(a) of the Policy and on the balance of probabilities that:

- i. the Domain Name is identical or confusingly similar to a trademark or a service mark in which the Complainant has rights;
- ii. the 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.

Only if all three elements have been fulfilled, the Panel is able to grant the remedies requested by the Complainant. The Panel will deal with each of the requirements in turn.

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 Trademarks and the 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.

Even though the Domain Name consist of the singular form of the word "fans" which is included in the Trademarks, the Panel finds the Trademarks are clearly recognizable within the Domain Name, because only the final letter "s" from the Trademarks is omitted. Accordingly, the Domain Name is confusingly similar to the Trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of the term "leaks" 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 Domain Name and the Trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 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 Domain Name such as those enumerated in the Policy or otherwise.

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 Trademarks predate the registration date of the Domain Name. Panels have consistently held that the registration of a domain name that is confusingly similar to a widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith ([WIPO Overview 3.0](#), section 3.1.4). Given the well-known character of the Trademarks (see e.g., *Fenix International Limited c/o Walters Law Group v. WhoisGuard, Inc., WhoisGuard Protected / Marry Mae Cerna*, WIPO Case No. [D2021-0327](#)), the Complainant's strong Internet presence, and the fact that the Trademarks are clearly recognizable within the Domain Name and are used to refer to the Complainant's website's content, the Panel agrees with the Complainant that it is not conceivable that the Respondent chose the Domain Name without knowledge of the Complainant's activities and its Trademarks. Rather, the Panel finds that the Respondent intentionally registered the Domain Name in order to profit from the Complainant's reputation and to attract Internet users to its own website for commercial gain. Therefore, the registration and use of the Domain Name constitute bad faith under paragraph 4(b)(iv) of the Policy.

Moreover, the Respondent's concealment of its identity through a Whois privacy service and the Respondent's failure to reply to cease-and-desist letters further add to a finding of bad faith.

Lastly, panels have found that the non-use of a domain name, including a passive holding page, would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness or reputation of the Complainant's Trademarks, and the composition of the Domain Name, and finds that in the circumstances of this case the current passive holding of the Domain Name does not prevent a finding of bad faith under the Policy.

For the foregoing reasons, 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 Domain Name <onlyfanleaks.net> be transferred to the Complainant.

/Gregor Vos/
Gregor Vos
Sole Panelist
Date: December 24, 2025