

ADMINISTRATIVE PANEL DECISION

Fenix International Limited v. Dammika Pathirana
Case No. D2025-5144

1. The Parties

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

The Respondent is Dammika Pathirana, Azerbaijan.

2. The Domain Name and Registrar

The disputed domain name <onlyfriendsfans.fun> 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 December 10, 2025. On December 11, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 12, 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 /No Data Provided) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 12, 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 December 12, 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 December 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was January 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 8, 2026.

The Center appointed Pablo A. Palazzi as the sole panelist in this matter on January 14, 2026. 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 the website located at the domain name <onlyfans.com> and has used it 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.

The Complainant is the registered owner of several trademarks for ONLYFANS, including United Kingdom trademark registration no. UK00917912377, registered on January 9, 2019, which is protected for goods and services in classes 9, 35, 38, 41, and 42. The Complainant's trademark rights have been recognized in over 150 other WIPO decisions, resulting in the cancellation or transfer of the domain names to the Complainant.

The Complainant's domain name <onlyfans.com> was registered on January 29, 2013. In 2025, <onlyfans.com> was one of the most popular websites in the world, with more than 305 million registered users.

The disputed domain name was registered on September 17, 2025. It resolves to a website that contains a WordPress blog with the title "Only Friends" following message: "Hello world! Welcome to WordPress. This is your first post. Edit or delete it, then start writing! December 12, 2025" and no additional 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.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy lists three elements, which a complainant must satisfy in order to succeed. The Complainant must satisfy that:

- (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 is 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.

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 Panel finds the mark is recognizable 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.

Although the addition of other terms, here “friends”, 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 name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8. In this case, the insertion of the term “friends” in the middle of the two elements of the Complainant’s trademark does not prevent the confusing similarity since the components “ONLY” and “FANS” remain recognizable within the disputed domain name.

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.

In addition, the Panel notes that despite being duly notified, the Respondent has failed to submit a Response, adopting a position of default that is consistent with an absence of legitimate interests in the disputed domain name. The website associated with the disputed domain name contains no active content beyond a generic WordPress installation, revealing that the Respondent maintains no genuine business purpose or legitimate use for 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.

In the present case, the Panel notes:

- the well-known character of the ONLYFANS trademark amongst the relevant public was confirmed by multiple UDRP panel decisions (see e.g., *Fenix International Limited c/o Walters Law Group v. WhoisGuard, Inc., WhoisGuard Protected / Marry Mae Cerna*, WIPO Case No. [D2021-0327](#); and *Fenix International*

Limited v. Host Master, 1337 Services LLC, WIPO Case No. [D2021-2652](#) and Fenix International Limited c/o Walters Law Group v. Emily Smith, mm WIPO Case No. [D2025-4660](#)).

- that previous UDRP panels have consistently held that the registration of a domain name that is confusingly similar to a widely known trademark, as in this case, creates a presumption of bad faith. [WIPO Overview 3.0](#), section 3.1.4.
- the Respondent is not using the disputed domain name.
- the Respondent has defaulted.

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.

Panels have found that the non-use of a domain name, including as in this case a blank WordPress installation 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 trademark, and the composition of the disputed domain name, and 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.

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 <onlyfriendsfans.fun> be transferred to the Complainant.

/Pablo A. Palazzi/

Pablo A. Palazzi

Sole Panelist

Date: January 28, 2026