

## **ADMINISTRATIVE PANEL DECISION**

Romanian Society for Phenomenology (Societatea Română de Fenomenologie) v. mayank goyal  
Case No. D2026-1867

### **1. The Parties**

The Complainant is Romanian Society for Phenomenology (Societatea Română de Fenomenologie), Romania, internally represented.

The Respondent is mayank goyal, Ukraine.

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

The disputed domain name <studia-phaenomenologica.com> (the “Disputed Domain Name”) 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 April 30, 2026. On April 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Disputed Domain Name. On April 30, 2026, 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 (Gergana Raycheva / Edoms LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 4, 2026, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on May 5, 2026.

The Center verified that the Complaint together with the amended 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 May 8, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 28, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 2, 2026.

The Center appointed Nick J. Gardner as the sole panelist in this matter on June 9, 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 is the Romanian Society for Phenomenology (Societatea Română de Fenomenologie), a Romanian academic association incorporated and registered in Romania (Fiscal Code: 13628903). The Complainant uses the designation STUDIA PHAENOMENOLOGICA, which has been used continuously since 2001 as the title of an academic journal in the field of phenomenology. The journal is published by Zeta Books and distributed internationally through the Philosophy Documentation Center. It carries an International Standard Serial Number (ISSN) registration, is catalogued in the Romanian National Library, and is listed in WorldCat. The Complainant has produced evidence, through Internet Archive (Wayback Machine) records, that the Disputed Domain Name was used as the official website of the journal from at least 2007. Further evidence confirms that the Complainant was actively managing the Disputed Domain Name through a hosting provider as early as 2011. Historical Whois records indicate that the Disputed Domain Name was under the Complainant's control for several years prior to its lapse.

The Complainant does not hold a registered trademark for STUDIA PHAENOMENOLOGICA. It relies on unregistered (common law) rights in that designation, acquired through more than two decades of continuous use.

The Disputed Domain Name was registered on May 20, 2023, following an inadvertent lapse in the Complainant's registration.

According to evidence produced by the Complainant the website to which the Disputed Domain Name resolved (the "Respondent's Website") impersonated the Complainant's academic journal. It reproduced the journal's title, editorial board membership, institutional affiliations, and contact details, and operated as a purported editorial submission platform. The website solicited Article Processing Charges (APCs) from prospective authors under false pretences. In addition, fabricated acceptance letters bearing the name of the Complainant's Editor-in-Chief and purporting to confirm the acceptance of submitted manuscripts were circulated to researchers

Following an abuse complaint submitted by the Complainant the hosting provider suspended the Respondent's Website. The Disputed Domain Name does not now resolve to a website. The Complainant has also submitted a complaint to the Romanian police in connection with the fraudulent use of the Disputed Domain Name.

#### **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 as follows:

First, the Disputed Domain Name is identical or confusingly similar to the Complainant's unregistered mark STUDIA PHAENOMENOLOGICA. The Complainant asserts that this designation has been used continuously since 2001 and has acquired distinctiveness as a source identifier for the Complainant's academic publications through more than two decades of use, ISSN registration, national library cataloguing, and international distribution. The Disputed Domain Name reproduces the mark in its entirety, with the

addition only of the generic Top-Level Domain (“gTLD”) “.com”, which is disregarded for comparison purposes.

Second, the Respondent has no rights or legitimate interests in the Disputed Domain Name. The Complainant has not authorised or licensed the Respondent to use the STUDIA PHAENOMENOLOGICA designation. The Respondent is not known by the Disputed Domain Name. The Respondent’s use of the Disputed Domain Name to operate a fraudulent impersonation website — including the solicitation of Article Processing Charges from researchers and the circulation of fabricated acceptance letters — cannot constitute a bona fide offering of goods or services, nor any legitimate noncommercial or fair use.

Third, the Disputed Domain Name was registered and is being used in bad faith. The Complainant submits that, given the long-standing and publicly documented use of the designation STUDIA PHAENOMENOLOGICA and of the Disputed Domain Name in connection with the journal, it is inconceivable that the Respondent was unaware of the Complainant’s rights at the time of registration. The Respondent registered the Disputed Domain Name shortly after it lapsed and immediately used it to impersonate the Complainant’s journal for commercial gain, falling squarely within paragraph 4(b)(iv) of the Policy. The fraudulent nature of the conduct is further evidenced by the suspension of the website by the hosting provider following an abuse report, the criminal complaint lodged with the Romanian police, and the Respondent’s email address, which suggests involvement in a pattern of fraudulent academic publishing activity.

The Complainant requests transfer of the Disputed Domain Name.

## **B. Respondent**

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

## **6. Discussion and Findings**

### **6.1 Preliminary Matters**

The Panel notes that no communication has been received from the Respondent. Since the Respondent’s postal address is stated to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue (see *Wilshire Refrigeration & Appliance, Inc. v. Oleksandr Kliuiev, Henryslist.com*, WIPO Case No. [D2024-0962](#)). Having considered all the circumstances of the case, the Panel is of the view that it should. It adopts the reasoning of the panel in *Lamps Plus, Inc. v. Ivanov Roman*, WIPO Case No. [D2025-1958](#). In that case the panel stated: “The Panel notes that the Center has used the Respondent’s email address and postal address as registered with the Registrar for the purposes of notifying the Complaint. Further, the Respondent has registered the disputed domain relatively recently, on March 21, 2024, and thus would appear to be capable of controlling the disputed domain name and the related content. It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of a Response) that the Respondent registered and has used the disputed domain name in bad faith and with the intention of unfairly targeting the Complainant’s goodwill in its trademark”. The Panel considers the same circumstances are applicable in the present case. Accordingly, the Panel considers it is able to proceed to determine this Complaint and to draw inferences from the Respondent’s failure to file any Response. While the Respondent’s failure to file a Response does not automatically result in a decision in favor of the Complainant, the Panel may draw appropriate inferences from the Respondent’s default (see, e.g., *Verner Panton Design v. Fontana di Luce Corp*, WIPO Case No. [D2012-1909](#)).

## 6.2 Substantive Matters

To succeed, in accordance with paragraph 4(a) of the Policy, the Complainant must satisfy the Panel that:

- (i) the Disputed Domain Name is identical with or confusingly similar to a trademark or service mark in which the Complainant has rights;
- (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

The filed evidence as to the Complainant's claimed unregistered rights in STUDIA PHAENOMENOLOGICA is persuasive. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.3, addresses this issue as follows:

"What does a complainant need to show to successfully assert unregistered or common law trademark rights?"

To establish unregistered or common law trademark rights for purposes of the UDRP, the complainant must show that its mark has become a distinctive identifier which consumers associate with the complainant's goods and/or services.

Relevant evidence demonstrating such acquired distinctiveness (also referred to as secondary meaning) includes a range of factors such as (i) the duration and nature of the use of the mark (which may include social media presence and engagement), (ii) the amount of sales under the mark and during which time period, (iii) the nature and extent of advertising using the mark – including evidence of expenditures over a relevant time period, (iv) the degree of actual public (e.g., consumer, industry such as trade and professional associations, media) recognition, and (v) consumer surveys. The fact that a respondent is shown to have been targeting the complainant's mark (e.g., based on the manner in which the mark is used on the related website or impersonating documents or other instruments) may also support the complainant's assertion and evidence that its mark has achieved significance as a source identifier.

The claimed mark must also be used as a source identifier of goods or services e.g., on a website or on products or packaging used in commerce, provided that the mark, as used, is linked to the goods or services that are being branded with the mark; this may include use by the complainant on letterhead or invoices or email headers and signatures.

The length of time that the mark has been used is not itself determinative. Panels have noted that, nowadays, some brands may rapidly acquire recognition due to a broad and significant Internet presence and user base.

Specific evidence including for example documented evidence of figures relating to sales, marketing, and/or social media endorsements supporting assertions of acquired distinctiveness should be included in the complaint; conclusory allegations of unregistered or common law rights, even if undisputed in the particular UDRP case, would not normally suffice to show secondary meaning.

In cases involving claimed unregistered or common law marks (which may include domain names) that are comprised solely of descriptive terms or acronyms that are not inherently distinctive, panels require the complainant to present relevant and sufficient examples of evidence of acquired distinctiveness/secondary meaning.

As noted in section 1.1.2, for a number of reasons, including the global nature of the Internet and Domain Name System, the fact that secondary meaning may only exist in a particular geographical area or market

niche does not preclude the complainant from establishing trademark rights (and as a result, standing) under the UDRP.

Also noting the availability of trademark-like protection under certain national legal doctrines (e.g., unfair competition or passing-off) and considerations of parity, where acquired distinctiveness/secondary meaning is demonstrated in a particular UDRP case, unregistered rights have been found to support standing to proceed with a UDRP case including where the complainant is based in a civil law jurisdiction.

Even where a panel finds that a complainant has UDRP standing based on unregistered or common law trademark rights, the strength of the complainant's mark may be considered relevant in evaluating the second and third elements."

In the present case the Panel is satisfied that the Complainant has established unregistered rights in *STUDIA PHAENOMENOLOGICA*. The designation has been used as the title of the Complainant's academic journal since 2001 — a period of over two decades at the date of the Respondent's registration of the Disputed Domain Name. The journal has been published by Zeta Books, distributed internationally through the Philosophy Documentation Center, registered with an ISSN, catalogued in national and international library records, and associated with the Disputed Domain Name since at least 2007. These circumstances collectively establish that *STUDIA PHAENOMENOLOGICA* has acquired the character of a distinctive identifier denoting the Complainant's journal and associated academic activities within the relevant community. The designation is not generic or descriptive of a field of study in any way that would deprive it of distinctiveness as a source identifier: it is a coined, compound designation in Latin, the use of which in the precise form adopted is specific to this journal.

In addition, were there any doubt about this, it is relevant that the Respondent itself thought it worthwhile to use this term in the Disputed Domain Name. As the panel noted in *NEOVIA, Hi-Nutrients International Ltd. v. WhoisGuard Protected, WhoisGuard, Inc. / Deniz Hus*, WIPO Case No. [D2019-0600](#): "The Respondent did not provide arguments to the contrary; rather, in the Panel's view, the Respondent cannot dispute that, given it deliberately targeted the source identifier in an apparent fraud attempt. Such targeting of the Complainants is sufficient to establish limited trademark rights in the HI-NUTRIENTS trademark for the purposes of the Policy. See *PEMF Supply, LLC v. Domain Administrator, See PrivacyGuardian.org / Gregory Lewis, American Healthcare Foundation*, WIPO Case No. [D2019-0235](#) ('[...] in light of the use of the PEMF SUPPLY mark that was submitted in this proceeding, the targeting of Complainant by Respondent is sufficient to establish Complainant has limited unregistered trademark rights in the PEMF SUPPLY mark for the purposes of the Policy')." See also *Greenspring Associates, Inc. v. Lisa Knowles, Victoria capital pty*, WIPO Case No. [D2019-0265](#): "To that extent, Complainant has in fact used the domain name <gspring.com> as a source identifier for its services. One person who cannot dispute that fact is Respondent, who (as is discussed below) deliberately targeted that source identifier (<gspring.com>) to attempt to perpetrate a fraud via confusion. The Domain Name differs from the GSPRING mark only to the extent that the Domain Name replaces the 'i' with an 'l'. The visual similarity between the 'i' and the 'l' — especially when the font is small — is obvious".

Accordingly, the Panel is satisfied on the evidence as filed that the Complainant has shown it has unregistered trademark rights in *STUDIA PHAENOMENOLOGICA* as a source identifier for its services. The Panel will refer to the "*STUDIA PHAENOMENOLOGICA* trademark" in the remainder of this Decision in relation to such rights.

The Panel finds the Disputed Domain Name is confusingly similar to the *STUDIA PHAENOMENOLOGICA* trademark. It reproduces that trademark in its entirety.

It is well established that the gTLD, in this case ".com", is viewed as a standard registration requirement and as such is typically disregarded under the first element confusing similarity test. See [WIPO Overview 3.1](#) at section 1.11.

Accordingly, the Panel finds that the Disputed Domain Name is confusingly similar to the Complainant's trademark and hence the first condition of paragraph 4(a) of the Policy has been fulfilled.

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

Paragraph 4(c) of the Policy provides a list of circumstances any of which is sufficient to demonstrate that a respondent has rights or legitimate interests in a domain name:

(i) before any notice to the respondent of the dispute, 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) the respondent has been commonly known by the domain name, even if the respondent has acquired no trademark or service mark rights; or

(iii) the respondent is 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.

None of these apply in the present circumstances. The Complainant has not authorised, licensed, or permitted the Respondent to register or use the Disputed Domain Name or to use the STUDIA PHAENOMENOLOGICA trademark. The Complainant has prior rights in the STUDIA PHAENOMENOLOGICA trademark which precede the Respondent's acquisition of the Disputed Domain Name. The Complainant has therefore established a prima facie case that the Respondent does not have any rights or legitimate interests in the Disputed Domain Name and thereby the burden of production shifts to the Respondent to produce evidence demonstrating rights or legitimate interests in respect of the Disputed Domain Name (see, for example, *Do The Hustle, LLC v. Tropic Web*, WIPO Case No. [D2000-0624](#); *Croatia Airlines d.d. v. Modern Empire Internet Ltd.*, WIPO Case No. [D2003-0455](#)). The Panel finds that the Respondent has failed to produce any evidence to establish its rights or legitimate interests in the Disputed Domain Name.

Moreover, as discussed further below, the Respondent has used the Disputed Domain Name to impersonate the Complainant. Such use can never confer rights or legitimate interests on the Respondent. [WIPO Overview 3.1](#), section 2.13.

Accordingly, the Panel finds the Respondent has no rights or any legitimate interests in the Disputed Domain Name and the second condition of paragraph 4(a) of the Policy has been fulfilled.

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

In the present circumstances the fact that the Disputed Domain Name was linked to the Respondent's Website which impersonated the Complainant's own website leads the Panel to conclude the registration and use were in bad faith.

Under paragraph 4(b) of the Policy a non-exhaustive list of factors evidencing registration and use in bad faith comprises:

(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have 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 you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

In the present circumstances the Panel holds that paragraph 4(b)(iv) above applies in that the Respondent was seeking to achieve commercial gain by impersonating the Complainant in order to commit fraud. It was using the Disputed Domain Name as part of that impersonation and fraud scheme. That amounts to registration and use in bad faith. The Panel also notes that the Respondent has not filed a Response and hence has not availed itself of the opportunity to present any case of good faith that it might have. The Panel infers that none exists.

Accordingly, the Panel finds that the Disputed Domain Name has been registered and is being used in bad faith and the third condition of paragraph 4(a) of the Policy has been fulfilled.

## **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 <studia-phaenomenologica.com> be transferred to the Complainant.

*/Nick J. Gardner/*

**Nick J. Gardner**

Sole Panelist

Date: June 23, 2026