ADMINISTRATIVE PANEL DECISION

Fenix International Limited c/o Walters Law Group v. Marino Specogna
Case No. D2026-2526

1. The Parties

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

The Respondent is Marino Specogna, Canada.

2. The Domain Name and Registrar

The disputed domain name <onlyfansgoldstocks.com> is registered with Wild West Domains, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 10, 2026. On June 11, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 13, 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 (Registration Private, Domain by Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 15, 2026, 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 amended Complaint on June 15, 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 June 16, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 6, 2026. The Respondent sent an email communication to the Center on June 15, 2026. On July 8, 2026, the Center informed the Parties that it would proceed to panel appointment.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on July 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 provides a social media platform at "www.onlyfans.com" that allows users to post and subscribe to audiovisual content on the Internet under the ONLYFANS trademark. It is the owner, amongst others, of:

- United States trademark registration No. 5,769,267 for ONLYFANS, registered on June 4, 2019, claiming first use in commerce on July 4, 2016;
- European Union trademark registration No. 017912377 for ONLYFANS, registered on January 9, 2019; and
- European Union trademark registration No. 017946559 for ONLYFANS and device, registered on January 9, 2019.

A past UDRP Panel has found that the ONLYFANS trademark is "internationally well-known amongst the relevant public." *Fenix International Limited c/o Walters Law Group v. WhoisGuard, Inc., WhoisGuard Protected / Marry Mae Cerna*, WIPO Case No. D2021-0327.

Prior to initiating these proceedings, the Complainant sent a Cease-and-desist letter to the Respondent via the Registrar on March 24, 2026 (Annex E to the Complaint) to which it claims it received no response.

The disputed domain name was registered on January 22, 2026, and presently redirects Internet users to the webpage available at the domain name <toptradingstock.com>. The Panel has independently visited that website, pursuant to its general powers articulated under paragraphs 10 and 12 of the Rules, and notes that it displays further links, including to Amazon.com, and in Privacy Policy it indicates that it is operated by the Respondent.

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 asserts to have registered the domain name <onlyfans.com> on January 29, 2013, and has extensive common law rights in the mark throughout the world that commenced by, at latest, July 4, 2016. Presently, the Complainant's website is one of the most popular websites in the world, with more than 305 million registered users.

According to the Complainant, the disputed domain name is identical or confusingly similar to its ONLYFANS trademark, with the addition of the descriptive phrase "gold stocks" being insufficient to avoid a finding of confusing similarity.

As to the absence of rights or legitimate interests, the Complainant argues that:

i. the Respondent has no connection or affiliation with Complainant, also not having received any authorization, license, or consent, whether express or implied, to use the Complainant's trademark in the disputed domain name or in any other manner;

ii. the Respondent is not commonly known by the disputed domain name and does not hold any respective trademark rights;

iii. the Complainant has achieved global fame and success in a short time which makes it clear that the Respondent knew of the Complainant's trademark and knew that it had no rights or legitimate interests in the disputed domain name; and

iv. the Respondent cannot claim a fair use of the disputed domain name given that it reproduces the Complainant's trademark with the additional phrase "gold stocks" which creates a risk of implied affiliation by suggesting to Internet users that the financial products and services found on the website to which the disputed domain name redirects, "www.toptradingstock.com," are endorsed or provided by the Complainant.

Furthermore, the Complainant asserts that previous panels have consistently found that the registration of a domain name that is confusingly similar to a widely-known trademark, as is the case here, creates a presumption of bad faith. Furthermore, the Complainant sent a cease-and-desist letter on March 24, 2026, to the Respondent, the latter did not respond, which should be considered a further evidence of bad faith, as well as the Respondent's choice to select a privacy protection shield to mask its identity. Lastly, the Complainant points out that the Respondent has already been found to be in bad faith for the registration of other domain names that refer to third parties' well-known trademarks. *Albemarle Corporation v. Marino Specogna*, WIPO Case No. D2016-1960.

B. Respondent

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

On June 15, 2026, the Respondent sent an informal communication to the Center stating that the disputed domain name "was freely available to purchase at anytime up until I purchased it", and that "if the Complainant was truly the rights holder to this domain it would not have been for sale", further indicating that "[t]he suppliers of the Domain Name are liable for offering the domain name for sale".

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements, which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

(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.

The Complainant must prove in these administrative proceedings that each of the aforementioned three elements is present in order to obtain the transfer of the disputed domain name.

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms ("gold stocks") may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. WIPO Overview 3.1, 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 that 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 3.1, 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.

The Panel considers that the record of this case reflects that:

- the Respondent has never been authorized by the Complainant to use the ONLYFANS trademark in any manner and that the Complainant has never given consent for the registration of the disputed domain name, neither in an explicit nor an implicit way. Further, the Respondent is not a partner, distributor or licensee of the Complainant, nor is there an existing contractual or commercial relationship between the Complainant and the Respondent which could eventually legitimize the registration and use of the disputed domain name by the Respondent;

- the disputed domain name has been used to redirect Internet users to a website seemingly operated by the Respondent purportedly listing the "top trading stocks"; the Panel notes that the terms "only" and "fans" – which, as combined, are the Complainant's "widely-known" trademark – have no meaning apparently related to stock trading, and takes the view that by incorporating them into the disputed domain name the Respondent has intended to capitalize on the reputation and goodwill inherent in the Complainant's ONLYFANS trademark, thus redirecting Internet traffic to the website available at the disputed domain name;

- before any notice to the Respondent of the dispute, the Respondent did not use, nor has it made demonstrable preparations to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services, rather having used the disputed domain name to redirect Internet users to an unrelated website; a respondent's use of a complainant's mark to redirect users would not support a claim to rights or legitimate interests, WIPO Overview 3.1, section 2.5.3;

- the Respondent (as an individual, business, or other organization) has not been commonly known by the disputed domain name. Paragraph 4(c)(ii) of the Policy, and WIPO Overview 3.1, section 2.3;

- the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue. Paragraph 4(c)(iii) of the Policy, and WIPO Overview 3.1, section 2.4; and

- the record contains no other factors demonstrating rights or legitimate interests of the Respondent in the disputed domain name.

Based on the available record, 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 this case, both the registration and use of the disputed domain name in bad faith can be found pursuant to the Policy, paragraph 4(b)(iv) in view of the composition of the disputed domain name that entirely reproduces the Complainant's well-known trademark and which is being used to redirect to another seemingly Respondent-related website, by creating a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation, or endorsement thereof. WIPO Overview 3.1, section 3.1.4.

The fact that the Respondent has already been found to be in bad faith with regard to the registration of another domain name vis-a-vis a third party trademark further supports the finding of the Respondent's bad faith.

For the reasons above, the Respondent's conduct has to be considered, in this Panel's view, as bad faith registration and use of the disputed domain name and the Complainant succeeds under the third element of paragraph 4(a) 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 <onlyfansgoldstocks.com> be transferred to the Complainant.

/Wilson Pinheiro Jabur/
Wilson Pinheiro Jabur
Sole Panelist
Date: July 21, 2026