ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Sellers Dorsey Foundation v. Helen Chetverikova
Case No. D2026-3897

1. The Parties

The Complainant is Sellers Dorsey Foundation, United States of America ("United States"), represented by Caesar Rivise, PC, United States.

The Respondent is Helen Chetverikova, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <sellersdorseyfoundation.org> is registered with DomainContext, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 31, 2026. On September 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 2, 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 (John Doe d/b/a sellersdorseyfoundation.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 3, 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 amendment to the Complaint on September 4, 2026.

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 September 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 4, 2026. The Response was filed with the Center on September 14, 2026.

The Center appointed Assen Alexiev as the sole panelist in this matter on October 12, 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.

On October 21, 2026, the Panel issued his Procedural Order No.1 ("PO1"). On October 21, 2026, the Respondent filed her submission pursuant to PO1, and on October 26, 2026, the Complainant filed its submission pursuant to PO1.

On October 30, 2026, the Complainant filed comments on the Respondent's submission pursuant to PO1. The Respondent did not file comments on the Complainant's submission pursuant to PO1.

On October 30, 2026, the Respondent filed a reply to the Complainant's comments to the Respondent's submission pursuant to PO1. On October 30, 2026, the Complainant objected to the admission of this submission of the Respondent.

4. Factual Background

The Complainant is a section 501(c)(3) private non-operating foundation, registered in the United States in 2010. It is dedicated to improving health outcomes and healthcare access and providing healthcare information, education, and advocacy services to the LGBTQ+ communities. The Complainant was established as the entity that would carry out charitable and fundraising endeavours supported by Sellers Dorsey & Associates LLC, a healthcare impact consulting firm. Both entities were established by and are under the control of Mr. Sellers and Mr. Dorsey, whose names were combined to create the names of the two entities. The official website of Sellers Dorsey & Associates LLC is located at the domain name <sellersdorsey.com>.

The Complainant is the applicant of the United States service mark application for SELLERS DORSEY FOUNDATION with application No. 50011841, filed on July 24, 2026 on an intent-to-use basis for services in International Classes 35, 36 and 41 (the "Service Mark Application").

The Complainant was the owner of the disputed domain name between 2012 and 2020. The disputed domain name was registered by the Respondent on March 29, 2021. It currently redirects to the website at the domain name <thegaysian.com> which is introduced as follows: "The Gaysian is a website that seeks to collect all information relevant to the lives of gay Asians (Gaysians). Created by Gaysians for gaysians." As noted by the Complainant, the disputed domain name currently also resolves to several internal pages that describe the Complainant and its activities. These internal pages are reachable through Internet browser searches using the name of the Complainant as a keyword.

The Panel conducted independent research[1] of the Wayback Machine archives for the disputed domain name, and found out that they contain archives made in the period September 17, 2013 - January 24, 2026, all of which show a website dedicated to the activities of the Complainant.

The information provided for the Complainant on a number of third-party websites indicates the disputed domain name as the address of the Complainant's official website.

[1] Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party's contention. WIPO Overview 3.1, section 4.8.

5. Parties' Contentions

A. Complainant

The Complainant explains that it is in the business of providing services with the focus of eliminating healthcare disparities in disadvantaged populations, getting its start assisting those in the LGBTQ+ community and eventually expanding its services. The Complainant states that, in connection with offering these services in United States commerce, it has used the SELLERS DORSEY FOUNDATION service mark since at least as early as August 17, 2010. The Complainant maintains that it has built substantial goodwill in the SELLERS DORSEY FOUNDATION service mark and has offered its services on a national platform. In 2013, the Complainant worked with The White House and President Barack Obama to publicly launch the Out2Enroll program, connecting the LGBTQ+ community with affordable health insurance options under the Affordable Care Act, which resulted in nationwide media coverage and established the Complainant as a national source for providing healthcare information and advocacy. The Complainant adds that there has been a common unity of control of the use of the SELLERS DORSEY mark between the Complainant and Sellers Dorsey & Associates LLC, and entity established by the same persons who later also established the Complainant, and that the Complainant and Sellers Dorsey & Associates LLC have jointly used the SELLERS DORSEY service mark in United States commerce to accomplish services to eliminate healthcare disparities amongst disadvantaged populations.

The Complainant states that it has operated via the website at the disputed domain name for the past five years, since the creation of the disputed domain name on March 29, 2021, advertising through it its services under the SELLERS DORSEY FOUNDATION service mark. The Complainant submits that this website is not currently available, because the Respondent has wrongly taken over the disputed domain name. Nevertheless, certain elements of its former website can still be accessed when searched, such as the Complainant's "About" page.

The Complainant submits that each time a consumer or the press refer to the Complainant, they refer to it as the "Sellers Dorsey Foundation", which is the Complainant's service mark. The Complainant states that it has invested a substantial amount of time, effort, and money in promoting its name and the service mark SELLERS DORSEY FOUNDATION and in ensuring the high quality of services provided under them. The Complainant maintains that, as a result of such advertising and provision of services under the SELLERS DORSEY FOUNDATION service mark, the maintenance of premium quality standards relating thereto, and the continuous and substantially exclusive use of this service mark by the Complainant, the SELLERS DORSEY FOUNDATION service mark has become recognised by the general consuming public of the United States as a unique and distinctive indication of the origin of the services of the Complainant.

The Complainant submits that it was forced to file its trademark application under Section 1(b) of the Lanham Act, 15 U.S.C. § 1051(b), because the disputed domain name was unjustly taken from it by the Respondent, which prevented the Complainant from submitting its previously existing website as a specimen of use.

The Complainant states that the disputed domain name is confusingly similar to its SELLERS DORSEY FOUNDATION service mark, because it incorporates this mark in its entirety.

According to the Complainant, the Respondent has no rights or legitimate interests in respect of the disputed domain name, as it is not commonly known by it, is not providing the Complainant's authentic services, has no association with the Complainant, has not been permitted to use the Complainant's trademark, and has not received Mr. Sellers and Mr. Dorsey's consent to use their names in the disputed domain name. The Complainant maintains that it has always owned the disputed domain name, which was hijacked or otherwise unjustly taken by the Respondent. In June 2026, the Complainant began to notice changes to its website at the disputed domain name that it had not made. The disputed domain name started displaying pornography and then began to redirect to the website labeled "The Gaysian", which harms the Complainant's reputation, as consumers seeking the Complainant's healthcare resources will visit the disputed domain name believing it to be the Complainant's website and will be unable to access the Complainant's resources. According to the Complainant, as the Complainant has an established history with working with LGBTQ+ populations and the Respondent's website focuses on gay Asian populations, their services are sufficiently related to create a likelihood of confusion. The Complainant concludes that the

disputed domain name was stolen or otherwise manipulated to redirect traffic to another website to profit off of the goodwill in the Complainant's trademark or to entice the Complainant to pay money to return the disputed domain name.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. According to the Complainant, the Respondent registered the disputed domain name or transferred it from the Complainant to itself through improper means with the intention of exploiting the Complainant's SELLERS DORSEY FOUNDATION service mark by intentionally misleading consumers to redirect traffic to the website at the disputed domain name by exploiting the Complainant's service mark.

The Complainant maintains that, by using the Complainant's SELLERS DORSEY FOUNDATION name and service mark and advertising LGBTQ+ services, the Respondent has created a situation where the Complainant reasonably fears an inability to maintain the reputation and goodwill of its business and the SELLERS DORSEY FOUNDATION service mark. The Complainant adds that it attempted to contact the email address listed on the website at the disputed domain name, but did not receive a response.

With its submission pursuant to PO1, the Complainant made the following statements:

The Complainant stated that it had been the registrant of the disputed domain name since 2012, and that its registration was not renewed in 2020 due to a failed automatic payment. The Complainant did not understand until 2026 that it was no longer the registrant of the disputed domain name, because it continued to resolve to its own website. In May 2026, when the associated website was changed and the Complainant could not reverse the change, it understood that it no longer had control over the disputed domain name.

According to the Complainant, the Respondent took advantage of a brief lapse in payment to acquire control over the disputed domain name, and has used it to re-route Internet traffic for the Respondent's own search engine optimisation ("SEO") purposes.

The Complainant states that the SELLERS DORSEY trademark and the name of Sellers Dorsey & Associates LLC reflect the names of their owners, who manage the Complainant as their primary entity under which philanthropic or educational endeavours are undertaken, and direct its use of the name SELLERS DORSEY as part of a coordinated branding strategy, with the joint objective of Sellers Dorsey & Associates LLC and the Complainant to bring awareness to and eliminate healthcare disparities amongst disadvantaged populations.

The Complainant refers to the content of its website and to third party national press showing the use of the SELLERS DORSEY and the SELLERS DORSEY FOUNDATION marks in connection with a partnership with the White House and President Barack Obama to provide LGBTQ populations with resources on how to seek adequate healthcare coverage through the Affordable Care Act initiative. The Complainant also refers to its collaboration with the Rockefeller Foundation, focused on creating creative, media-driven strategies to educate communities and tackle the root causes of health inequalities, and to marketing literature from 2013 showing its use of the SELLERS DORSEY FOUNDATION mark. The Complainant also refers to third party references to SELLERS DORSEY FOUNDATION as a health information resource.

With its comments to the Respondent's submission pursuant to PO1, the Complainant made the following additional statements:

The Complainant notes that the Respondent has admitted that she has acquired the disputed domain name because of her interest in the goodwill of the Complainant's SELLERS DORSEY FOUNDATION mark. The Complainant points out that when the Respondent acquired the disputed domain name in 2021, it had been used for years by the Complainant. After that date, the Complainant believed that it still owned the disputed domain name and was unaware of a failed automatic payment, so it continued to market its services under the disputed domain name because nothing about its website had changed in appearance or needed to be updated until May 2026.

The Complainant notes that its prior and continued use of its SELLERS DORSEY FOUNDATION mark and marketing of the disputed domain name directed web traffic to the same. According to the Complainant, the Respondent purchased the disputed domain name to capitalise off of this Internet traffic, and her claimed interest in the backlink profile of the disputed domain name necessarily depended on its reputation, recognition, and prior use by the Complainant. The value of the backlinks was created by the Complainant, not the Respondent, and the only reason the disputed domain name possessed any SEO value was the Complainant's use and goodwill.

The Complainant states that the Respondent knew of the Complainant when acquiring the disputed domain name, because the Complainant's website was still published there at the time and it is unlikely that the Respondent would never have tried to visit it. The Respondent's own characterisation of herself as a SEO professional undermines her claim that she was unaware of Complainant, because a valuation of a domain name's backlink profile necessarily involves reviewing the sources of those links and the historical content generating them. Moreover, SELLERS DORSEY FOUNDATION is a highly specific name that appears at first glance as a distinctive business name of a specific organisation. Unlike dictionary-word domain names typically acquired for investment purposes, the disputed domain name consists entirely of a distinctive identifier corresponding directly to the Complainant, so even if the Respondent did not know of the Complainant before viewing the website at the disputed domain name, the Respondent would have had notice that it very likely belonged to a business called the "Sellers Dorsey Foundation" immediately upon viewing it. A reasonable person, let alone a reasonable SEO professional, would have followed up on this inquiry. The Complainant adds that the fact that the disputed domain name began to redirect to an LGBTQ website is unlikely to be coincidence when Complainant is known for its advocacy efforts in the LGBTQ community.

B. Respondent

The Respondent states that she did not obtain the disputed domain name from the Complainant, but herself registered the disputed domain name on March 29, 2021. The Respondent adds that this is supported by documented registration history for the disputed domain name.

The Respondent does not dispute that the disputed domain name is textually identical to the words SELLERS DORSEY FOUNDATION.

The Respondent states that a later change in the website at the disputed domain name content or a later redirect cannot, by themselves, establish the Respondent's state of mind at the time of the March 29, 2021 registration, and that the Complainant's 2026 service mark application does not establish bad faith registration in 2021. The Respondent points out that the application was not filed on the basis of current use and is still awaiting examination, that it post-dates the registration of the disputed domain name by more than five years, and that the Complainant has not supplied evidence establishing that the Respondent has registered the disputed domain name in bad faith on March 29, 2021.

The Respondent denies that the disputed domain name was acquired for the purpose of misleading the public into believing that the Respondent is the Complainant. It notes that the Complainant has not shown that the Respondent knew of the Complainant in March 2021 and registered the disputed domain name specifically to target it.

The Respondent requests the Panel to consider whether the Complaint constitutes Reverse Domain Name Hijacking if, after reviewing the complete record, the Panel finds that the Complainant knew or should have known that its allegation of a 2026 acquisition was inconsistent with its own registrar evidence.

With her submission pursuant to PO1, the Respondent made the following statements:

The Respondent states that she is a SEO professional and that in her work, she evaluates domain names primarily by their existing backlink profiles, particularly links from established and authoritative websites. The Respondent explains that when she registered the disputed domain name on March 29, 2021, her interest was in its existing backlinks and potential SEO value, not in its wording or in the organisation named in it.

The Respondent maintains that she was not aware of the existence of the Complainant at the time of registration of the disputed domain name, and that she did not select it to target the Complainant, to impersonate it, or to suggest any affiliation with it. The Respondent adds that she has used the disputed domain name as a "301 redirect" to one of her projects to assess whether its existing backlink profile could provide a SEO benefit, but this did not materialise to the extent the Respondent had anticipated.

6. Discussion and Findings

6.1. Procedural Issue - Location of the Respondent

Paragraph 10(b) of the Rules requires the Panel to ensure that the parties are treated with equality and that each party is given a fair opportunity to present its case. Paragraph 10(c) requires that the administrative proceeding takes place with due expedition.

The Respondent's mailing address is in Ukraine, which is subject to an international conflict at the date of this decision. These circumstances may impact case notification and it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue.

The Panel is of the view that the proceeding should continue, having considered all the circumstances of the case, particularly that the Respondent has submitted a Response and therefore has received notice of the proceeding.

6.2. Procedural issue - Unsolicited supplemental submission by the Respondent

On October 21, 2026, the Panel issued PO1. On October 21, 2026, the Respondent filed her submission pursuant to PO1, and on October 26, 2026, the Complainant filed its submission pursuant to PO1. On October 30, 2026, the Complainant filed comments on the Respondent's submission pursuant to PO1. The Respondent did not file comments on the Complainant's submission pursuant to PO1. The Parties had thus exhausted their opportunities to file supplemental submissions authorised by the Panel.

On October 30, 2026, the Respondent however filed a further submission - a reply to the Complainant's comments to the Respondent's submission pursuant to PO1, without first seeking leave from the Panel to do so. The Respondent's further submission reargues the same points already discussed in her submission pursuant to PO1 and does not explain why these statements and information could not have been provided earlier.

The Panel considers that the circumstances do not justify the admission of the unsolicited supplemental submission of the Respondent, and notes that even if admitted, it would not have changed the outcome of the case. Therefore, in exercise of his powers under paragraphs 10 and 12 of the Rules, the Panel does not admit the Respondent's submission of October 30, 2026.

6.3. Substantive Issues

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 does not have a registered trademark or service mark. Its Service Mark Application is currently pending, and this does not by itself establish trademark rights within the meaning of paragraph 4(a)(i) of the Policy, see WIPO Overview 3.1, section 1.1.4.

The Complainant claims that it has unregistered trademark rights for the purposes of the Policy.

As discussed in section 1.3 of the WIPO Overview 3.1, 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 evidence submitted by the Complainant shows that it is affiliated to Sellers Dorsey & Associates LLC, that they both are under the common control of Mr. Sellers and Mr. Dorsey, and that the two entities have at least since 2012 jointly used the name SELLERS DORSEY and the domain names <sellersdorsey.com> and <sellersdorseyfoundation.org> for the carrying out of their activities and the promotion of their services aimed at eliminating healthcare disparities amongst disadvantaged populations in the United States. This is shown by the content of the respective websites of the two entities and various third party publications, including on the website of the Center for American Progress, the website "the WHITE HOUSE PRESIDENT BARACK OBAMA", the website of the Office of the Assistant Secretary for Planning and Evaluation, HuffPost, the website of the Association for Community Affiliated Plans, and the publication "Improving Care for Lesbian, Gay, Bisexual, and Transgender Patients in the Emergency Department", published in the Annals of Emergency Medicine.

The Respondent states that she is a SEO professional and that in her work, she evaluates domain names primarily by their existing backlink profiles, particularly links from established and authoritative websites. The Respondent notes that when she registered the disputed domain name on March 29, 2021, her interest was in its existing backlinks and potential SEO value. In the circumstances of this case, such activity amounts to targeting of the Complainant's goodwill. As noted by the Complainant, the backlink profile of the disputed domain name incorporating the distinctive sign of the Complainant depends on its reputation, recognition, and prior use by the Complainant, so any potential SEO value that it had in 2021, when the Respondent registered it, was created by the Complainant and derived from its own goodwill. It is also notable in this respect that the disputed domain name continued to display the Complainant's former website for five years after its registration by the Respondent, and even now it still resolves to certain internal pages of the former website of the Complainant.

All the above taken together leads the Panel to the conclusion that by 2021, when the Respondent registered the disputed domain name, the brand SELLERS DORSEY had become a distinctive source identifier that consumers associated with the services of the Complainant. The Panel therefore finds that the Complainant has unregistered trademark rights in it for the purposes of the Policy.

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

Although the addition of other elements (here, "foundation") may bear on assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the disputed domain name and the SELLERS DORSEY mark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

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

B. Rights or Legitimate Interests and Bad Faith Registration and Use

It is usual for panels under the Policy to consider the issues of rights or legitimate interests and registration and use in bad faith in turn. However, in this case it is more convenient to consider those issues together. WIPO Overview 3.1, section 2.15. The reason for this is that the Complainant contends that the disputed domain name was registered and is being used with knowledge of its goodwill and in order to take unfair advantage of the same. In contrast, the Respondent contends that the disputed domain name has been independently registered and used in good faith. If the Respondent's contentions are correct, at the very least the disputed domain name would not have been registered in bad faith. If however the Complainant's contentions are correct, the Respondent will have no relevant rights or legitimate interest in the disputed domain name and the same will have been both registered and used in bad faith.

The Respondent states that she had no knowledge of the Complainant when registering the disputed domain name. It is however inherently implausible that a person registering the disputed domain name, and particularly one that describes itself as an SEO professional, would not at the very least make a simple online search for the specific term "sellers dorsey" when registering the disputed domain name, and find out that the Complainant existed (see also in this respect the comments of the impact of the borderless nature of the Internet to the question of knowledge in WIPO Overview 3.1, section 3.2.2) and that it had operated the disputed domain name for a long time. Further, given the fact that "sellers dorsey" has no obvious non-trade mark meaning that might explain the choice of that term, then in the absence of any contrary explanation supported by evidence, in the view of the Panel it is more likely than not that the reason why the disputed domain name was chosen was because of its association with the Complainant's goodwill and to take unfair advantage of the same.

This is strongly supported by the Respondent's own admission that she is a SEO professional and that she registered the disputed domain name for its backlink profile and SEO value.[2] All backlinks to the disputed domain name must have been created as a result of the long-term efforts of the Complainant, which maintained its website at the disputed domain name for eight years before failing to renew it. The content created by the Complainant continued to be the source of the reputation of the disputed domain name even after it was registered by the Respondent in 2021, because it continued to display the Complainant's content until sometime in 2026, without any contribution by the Respondent. If the Respondent registered the disputed domain name for its backlink profile and SEO value, then she must have reviewed this profile, which would have acquainted her with the activities of the Complainant and its reputation and with the value of the disputed domain name that flows from there. The fact that, after its registration by the Respondent, the disputed domain name continued to display the Complainant's website can only be explained as a step taken by the Respondent to preserve, without effort and expense, its backlinks and SEO value by maintaining an illusion that it is still being operated by the Complainant, which further confirms that Respondent must have been aware of the Complainant.

The Panel concludes from the above that the Respondent has registered and used the disputed domain name with knowledge of the Complainant and as an attempt to exploit the goodwill of its mark for commercial gain. This supports a finding that the Respondent does not have rights or legitimate interests in the disputed domain name, and that it has registered and used it in bad faith.

6.4. Reverse Domain Name Hijacking

The Respondent requests a finding of Reverse Domain Name Hijacking ("RDNH"). However, the Complainant has established the requirements of paragraph 4(a) of the Policy. Accordingly, the Panel finds no basis for concluding that the Complainant has abused the administrative proceeding and the Respondent's request for a finding of RDNH is therefore denied.

[2] A backlink profile is the collection of all incoming links (backlinks) from other websites that point to a particular website, and it measures their quality, anchor text, and diversity. Backlinks are like a set of online votes of confidence, and create the digital reputation of a website and its SEO value, because search engines use backlink profiles to measure the authority and credibility of websites.

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 <sellersdorseyfoundation.org> be transferred to the Complainant.

/Assen Alexiev/
Assen Alexiev
Sole Panelist
Date: November 5, 2026