ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Fenix International Limited v. Massimo Damiani
Case No. D2026-4043

1. The Parties

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

The Respondent is Massimo Damiani, France.

2. The Domain Name and Registrar

The disputed domain name <onlyfans-telegram.com> is registered with Infomaniak Network SA (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on September 8, 2026. On September 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 11, 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 (Redacted for Privacy) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 17, 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 September 21, 2026.

On September 17, 2026, the Center informed the parties in French and English, that the language of the registration agreement for the disputed domain name is French. On September 21, 2026, the Complainant requested English to be the language of the proceeding. The Respondent did not submit any comment on the Complainant's submission.

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 in English and French the Respondent of the Complaint, and the proceedings commenced on September 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 15, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 16, 2026.

The Center appointed Christos A. Theodoulou as the sole panelist in this matter on October 21, 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 Fenix International Limited. The Complainant operates the website at "www.onlyfans.com", a social media platform through which users post and subscribe to audiovisual content. The Complainant states that it registered the domain name <onlyfans.com> on January 29, 2013 and has used the ONLYFANS mark in commerce since at least June 4, 2016. The Complainant reports more than 305 million registered users and relies on its substantial international recognition.

The Complainant owns registered trademark rights, including the following registrations:

- European Union trademark ONLYFANS, No. 017912377, registered January 9, 2019.
- United States trademark mark ONLYFANS, Registration No. 5769267, registered June 4, 2019.
- United States trademark mark ONLYFANS, Registration No. 6253455, registered January 26, 2021.

The Complainant's trademark rights have been recognized in several other UDRP decisions.

Further, the Complainant registered the domain name <onlyfans.com> on January 29, 2013.

The disputed domain name was registered on April 29, 2026. At the time of filing the Complaint, it resolved to an English-language website promoting adult entertainment and Telegram channels advertised as offering leaked or stolen ONLYFANS content, according to the uncontested allegations of the Complainant.

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 that the disputed domain name is identical or confusingly similar to its trademarks ONLYFANS in which the Complainant has rights.

Moreover, the Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name, that the Respondent has no relation to the Complainant in any way. The Complainant further alleges that the Respondent was neither licensed nor authorized to make any use of the Complainant's ONLYFANS trademarks, that the Respondent registered the disputed domain name years after the Complainant's first use of the mark since at least June 2016. The Complainant states that it has no affiliation with the Respondent and that it has not authorized him to use its mark.

The Complainant asserts that the Respondent registered and is using the disputed domain name in bad faith.

B. Respondent

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

6. Discussion and Findings

A. Language of Proceedings

The Panel notes that the language of the registration agreement for the disputed domain name is French.

Pursuant to the Rules, paragraph 11, in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceedings shall be the language of the registration agreement.

The Complainant requested that the language of the proceeding be English, submitting that there is ample evidence that the Respondent is able to communicate in English. In particular, the Complainant noted that the content of the website associated with the disputed domain name is in English and that requiring the Complainant to translate the Complaint into French would result in substantial additional expense and delay. The Respondent did not comment on the Complainant's language request.

In light of these circumstances, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

B. 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 the ONLYFANS trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the Complainant's ONLYFANS trademark is reproduced within the disputed domain name. The disputed domain name differs from the Complainant's trademark only by the addition of the word "telegram", a hyphen, and the generic Top-Level Domain ("gTLD") ".com". The addition of the word "telegram" does not prevent a finding of confusing similarity under the Policy. Where the relevant trademark is recognizable within the disputed domain name, the addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) would not prevent a finding of confusing similarity under the first element. WIPO Overview 3.1, section 1.8. The gTLD is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. Accordingly, the disputed domain name is confusingly similar to the Complainant's mark. WIPO Overview 3.1, section 1.11.1.

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

***C*. 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.

In particular and based on the available record, the Panel finds that the Respondent has not used the disputed domain name for a bona fide offering of goods or services; that the Respondent is not commonly known by the disputed domain name; and that the Respondent has not made a legitimate noncommercial or fair use of the disputed domain name.

Moreover, it is to be noted that the Respondent did not provide a Response or present evidence of any license or permission by the Complainant, with whom there seems to exist no relationship whatsoever.

In addition, the Panel notes that the composition of the disputed domain name, incorporating the Complainant's trademark in its entirety with the addition of the word "telegram", cannot constitute fair use as it creates a risk of implied affiliation with the Complainant. WIPO Overview 3.1, section 2.5.1.

As a conclusion on this point, the Panel finds the second element of the Policy has been established.

D. 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 that the disputed domain name was created on April 29, 2026, whereas at that point in time the Complainant's trademarks had already been registered, used for some years and became well-known internationally. From the evidence at hand, the Panel finds that the Respondent, when registering the disputed domain name, must have been aware of the Complainant's trademarks. Therefore, the Respondent's awareness of the Complainant's trademark rights at the time of registration suggests bad faith (See *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. D2006-0007, and *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. D2011-2209).

Considering the nature of the disputed domain name, incorporating the ONLYFANS mark in its entirety plus the word "telegram", coupled with its use, the Panel finds on balance that the disputed domain name was registered in bad faith.

The disputed domain name directs users to a commercial website that offers goods and services in direct competition with the trademark owner. This use, together with the incorporation of the Complainant's trademark in the disputed domain name, supports that the Respondent registered and used the disputed domain name with knowledge of the Complainant's rights and with the intention of attracting Internet users, for commercial gain, to the Respondent's website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

Further, the Complainant sent a cease-and-desist letter to the Respondent on June 29, 2026 demanding the Respondent stop using and to cancel the disputed domain name. Based on the available record, the Respondent did not respond. The Respondent's failure to respond to this correspondence is further evidence of bad faith.

Panels have held that the use of a domain name for illegitimate activity, here, claimed passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

As a consequence of the above, 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 <onlyfans-telegram.com> be transferred to the Complainant.

/Christos A. Theodoulou/
Christos A. Theodoulou
Sole Panelist
Date: October 31, 2026