ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Fenix International Limited v. Emmy Malavet
Case No. D2026-4099

1. The Parties

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

The Respondent is Emmy Malavet, Thailand.

2. The Domain Name and Registrar

The disputed domain name <onlyfan.club> is registered with OVH (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 11, 2026. On September 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 15, 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 amend the Complaint. The Complainant filed an amendment to the Complaint on September 17, 2026, adding the registrant disclosed by the Registrar as the Respondent.

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 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 13, 2026.

The Center appointed Nathalie Dreyfus as the sole panelist in this matter on October 16, 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.

The Panel notes that the Center's notification email to the postmaster address of the disputed domain name could not be delivered. The Notification of Complaint was, however, also sent to the email address of the Respondent disclosed by the Registrar, for which no delivery failure was reported, and the notice was sent through the Registrar's WhoIs contact form, and the Written Notice was dispatched by post to the postal address of the Respondent disclosed by the Registrar. Therefore, the Panel finds that the Center has fulfilled its responsibility under paragraph 2(a) of the Rules.

4. Factual Background

The Complainant, Fenix International Limited, is a private limited company incorporated in the United Kingdom on September 1, 2016. It operates the online platform at "www.onlyfans.com", through which users may publish and subscribe to audiovisual and other content, including adult entertainment content. According to the Complaint, the Complainant has used the ONLYFANS trademark since at least 2016, and its <onlyfans.com> domain name was registered on January 29, 2013.

The Complainant owns numerous trademark registrations for ONLYFANS in several jurisdictions (the "ONLYFANS Mark"), including:

- European Union trademark Registration No. 017912377 for ONLYFANS, filed on June 5, 2018 and registered on January 9, 2019 in Classes 9, 35, 38, 41, and 42;
- United Kingdom trademark Registration No. UK00917912377 for ONLYFANS, filed on June 5, 2018 and registered on January 9, 2019 in Classes 9, 35, 38, 41, and 42;
- United States trademark Registration No. 5,769,267 for ONLYFANS, registered on June 4, 2019 in Class 35; and
- United States trademark Registration No. 6,253,455 for ONLYFANS, registered on January 26, 2021 in Classes 9, 35, 38, 41, and 42.

The Complainant's ONLYFANS Mark has also been recognized by previous WIPO panels as "internationally well-known amongst the relevant public". See *Fenix International Limited v. WhoisGuard, Inc., WhoisGuard Protected / Marry Mae Cerna*, WIPO Case No. D2021-0327.

The disputed domain name was registered on May 14, 2026. According to the evidence submitted with the Complaint (Annex D), at the time of filing, it resolved to a commercial website offering adult entertainment content and services. The footer of the website displayed the copyright notice "© 2026 OnlyFan Info".

The Respondent, identified by the Registrar as Emmy Malavet, is located in Thailand. The Complainant sent a cease-and-desist letter (Annex E) to the Respondent through the Registrar on July 13, 2026, to which no reply was received.

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.

The Complainant operates its main website at "www.onlyfans.com", which, according to the Complaint, had more than 305 million registered users in 2026. In addition to the registered ONLYFANS Mark, the

Complainant maintains that, through its extensive use, it has acquired substantial unregistered rights and goodwill in the ONLYFANS Mark worldwide. It further relies on previous UDRP decisions that have recognized these unregistered rights as having accrued by no later than July 4, 2016. See *Fenix International Limited v. Domain Admin, Beacons AI Inc.*, WIPO Case No. D2024-0113.

Notably, the Complainant contends that the disputed domain name is confusingly similar to the ONLYFANS Mark because it consists of the singular form "onlyfan", while the generic Top-Level Domain ("gTLD") ".club" does not prevent a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent has no connection or affiliation with the Complainant, has not been authorized to use the ONLYFANS Mark and is not commonly known by the disputed domain name.

The Complainant contends that the disputed domain name has been used for a website offering adult entertainment content in direct competition with the Complainant's services, thereby creating a false impression of association with or endorsement by the Complainant.

Finally, the Complainant submits that the Respondent has registered and used the disputed domain name in bad faith, with knowledge of the Complainant's prior and well-known rights in the ONLYFANS Mark, in order to attract Internet users for commercial gain by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the website. The Complainant also relies on the website's copyright notice "© 2026 OnlyFan Info", the Respondent's failure to reply to the Complainant's cease-and-desist letter, and the use of a privacy service as further evidence of bad faith.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, the Complainant must prove that (i) the disputed domain name is identical 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. The Respondent's default does not automatically result in a decision in favor of the Complainant; the Panel must assess the record and may draw appropriate inferences under paragraph 14(b) of the Rules.

The Panel is satisfied that the Center discharged its responsibility under paragraph 2(a) of the Rules to employ reasonably available means calculated to achieve actual notice of the Complaint to the Respondent. In accordance with paragraph 15(a) of the Rules, the Panel shall decide the Complaint on the basis of the statements and documents submitted and in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

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, notably the registered ONLYFANS Mark. WIPO Overview 3.1, section 1.2.1.

The gTLD ".club" is a standard registration requirement and is disregarded for the purposes of the first element. WIPO Overview 3.1, section 1.11.1.

The disputed domain name reproduces the ONLYFANS Mark almost in its entirety, differing only by the omission of the final letter "s". The ONLYFANS Mark therefore remains clearly recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's mark for the purposes of the Policy. WIPO Overview 3.1, sections 1.7 and 1.9.

The Panel further notes that previous UDRP panels have found domain names incorporating the singular form "onlyfan" to be confusingly similar to the Complainant's ONLYFANS Mark. See *Fenix International Limited v. Erik Babich*, WIPO Case No. D2025-1686, concerning <onlyfan.mom> and <onlyfan.tattoo>.

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 Complainant has not licensed, authorized, or otherwise permitted the Respondent to use the ONLYFANS Mark, and there is no relationship between the Parties. Nothing in the record indicates that the Respondent has been commonly known by the disputed domain name.

The disputed domain name has been used for a commercial website offering adult entertainment content and services directly competing with those offered by the Complainant. The nature of the disputed domain name, which reproduces the ONLYFANS Mark almost in its entirety, together with the overlapping nature of the services offered on the Respondent's website, is liable to create a misleading impression of association with or endorsement by the Complainant as Internet users may not notice the subtle difference between the composition of the disputed domain name and the ONLYFANS Mark. The Panel also notes that the footer of the Respondent's website contains the copyright notice "© 2026 OnlyFan Info", which may further reinforce such impression. Such use does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use. See WIPO Overview 3.1, sections 2.5.1 and 2.5.3. See also *Fenix International Limited v. Erik Babich*, WIPO Case No. D2025-1686.

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 finds that the Respondent registered the disputed domain name with knowledge of the Complainant and its ONLYFANS Mark. The disputed domain name was registered several years after the Complainant acquired registered and unregistered rights in the ONLYFANS Mark. The Panel also notes that previous UDRP panels have recognized the ONLYFANS Mark as "internationally well-known amongst the relevant public". See *Fenix International Limited v. WhoisGuard, Inc., WhoisGuard Protected / Marry Mae Cerna*, WIPO Case No. D2021-0327. The composition of the disputed domain name, which is a misspelled version of the ONLYFANS Mark, together with the nature of the services offered through the Respondent's website, further supports a finding that the Respondent specifically targeted the Complainant and its mark. WIPO Overview 3.1, sections 3.1.4 and 3.2.2.

The disputed domain name has been used for a commercial website offering adult entertainment content and services which direct compete with those of the Complainant. The Panel therefore finds that, by using the disputed domain name, the Respondent intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's ONLYFANS Mark as to the source, sponsorship, affiliation, or endorsement of the website, within the meaning of paragraph 4(b)(iv) of the Policy. See *Fenix International Limited v. Erik Babich*, WIPO Case No. D2025-1686.

Moreover, the footer of the Respondent's website contains the copyright notice "© 2026 OnlyFan Info", which may further reinforce the misleading impression of an association with the Complainant as Internet users may not notice the subtle difference between OnlyFan in the notice and the ONLYFANS Mark.

The Panel also takes into account the Respondent's failure to reply to the Complainant's cease-and-desist letter of July 13, 2026, and its default in this proceeding. None of these circumstances establishes bad faith on its own, but, together with the typosquatting nature of the disputed domain name and the use evidenced by the record, they reinforce the finding of bad faith. WIPO Overview 3.1, section 4.3.

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 <onlyfan.club> be transferred to the Complainant.

/Nathalie Dreyfus/
Nathalie Dreyfus
Sole Panelist
Date: October 30, 2026