ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Fenix International Limited v. Michael Ruth
Case No. D2026-4124

1. The Parties

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

The Respondent is Michael Ruth, United States.

2. The Domain Name and Registrar

The disputed domain name <onlyfansgo.shop> is registered with Dynadot Inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 14, 2026. On September 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 17, 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, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 20, 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 20, 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 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 14, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 16, 2026.

The Center appointed Fabrice Bircker as the sole panelist in this matter on October 26, 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 owns and operates the website entitled OnlyFans which is notably available through the domain name <onlyfans.com>. This website provides since 2016 the services of a social media platform that allows users to post and subscribe to audiovisual content.

The Complainant's activities are notably protected through the following trademarks:

ONLYFANS, United States Registration No. 6253455, filed on November 2, 2019, registered on January 26, 2021, and designating products and services of classes 9, 35, 38, 41 and 42,

 United States Registration No. 6253475, filed on November 2, 2019, registered on January 26, 2021, and designating products and services of classes 9, 35, 38, 41 and 42,

 United States Registration No. 6938572 with first use on August 10, 2020, filed on February 10, 2021, registered on January 3, 2023, and designating services of classes 38, 41 and 42.

The disputed domain name, <onlyfansgo.shop>, was registered on April 29, 2026.

According to the evidence on record, at the time of filing the Complaint, the disputed domain name resolved to a website purportedly offering for sale merchandise, such as clothes and bags, prominently featuring the Complainant's above-mentioned trademarks and presented as "official ONLYFANS merch".

At the time of this Decision, the disputed domain name is inactive.

Very little is known about the Respondent, except that, based on the information disclosed by the Registrar, it is apparently located in the United States.

Before filing the Complaint, the Complainant sent a cease-and-desist letter to the Respondent, but received no response.

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 confusingly similar to its ONLYFANS trademark, because it reproduces the latter, and the added element does not prevent it from being recognizable.

Besides, the Complainant argues that the Respondent has no rights or legitimate interests in respect of the disputed domain name, in substance because:

- the Respondent has no connection or affiliation with the Complainant and has not received any authorization, license, or consent, whether express or implied, to use its trademarks,

- the Respondent is not commonly known by the ONLYFANS trademark and does not hold any trademark for the disputed domain name,

- because of its composition, the disputed domain name carries a risk of implied affiliation with the Complainant, whereas the Respondent is unrelated to the latter, and the website under the disputed domain name suggests a connection with the Complainant, while the merchandise purportedly offered for sale on the website is neither "official" nor authorized by the Complainant.

Then, the Complainant contends that the disputed domain name has been registered and is being used in bad faith, notably because:

- it was registered long after the Complainant's well-known trademarks,

- it is more probable than not that the Respondent was fully aware of the Complainant's rights at the time of registration, as the website under the disputed domain name reproduces the Complainant's trademarks, including its logos, while falsely declaring that the merchandise offered for sale is "official",

- this situation also creates a false impression that the Respondent is associated with the Complainant,

- the combination of the fact that the Responded did not reply to the Complainant's cease-and-desist letter and registered the disputed domain name with a privacy service, are further indication of bad faith registration and use.

B. Respondent

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

6. Discussion and Findings

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.

Based on the available record (Annex C of the Complaint), the Panel finds that 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 ONLYFANS 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.

Indeed, although the addition of other terms (here "go") may bear on assessment of the second and third elements, the Panel finds the addition of such term 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.

Regarding the generic Top-Level Domain ("gTLD") ".shop", in the disputed domain name, it is well established that gTLDs do not generally affect the assessment of domain names for the purpose of determining identity or confusingly similarity. WIPO Overview 3.1, section 1.11.1.

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.

Indeed, the Complainant has not given its consent to the Respondent to use its ONLYFANS trademark in domain name registrations or in any other manner.

Furthermore, there is nothing in the record of the case to indicate that the Respondent may be commonly known by the disputed domain name.

Besides, the disputed domain name is currently not used.

Finally, the Complainant's trademark is well known (see for instance *Fenix International Limited v. Guoming Cai*, WIPO Case No. D2026-3599, *Fenix International Limited v. mehmet cicek*, WIPO Case No. D2026-3326, or *Fenix International Limited v. Emily Smith*, WIPO Case No. D2026-3308) and, when the disputed domain name was active, it resolved to an unauthorized website purportedly offering for sale merchandise falsely presented as "official" products related to the Complainant's trademark.

In the absence of any authorization from the Complainant, the Panel finds that the Respondent's use of the disputed domain name was commercial in nature and misleadingly diverted consumers by unduly capitalizing on the Complainant's trademark and creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the merchandise.

In this respect, Panels have held that the use of a domain name for illegitimate activity (here, passing off) can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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 being fully aware of the Complainant's rights, and that the Respondent intentionally used said disputed domain name for commercial gain by creating a likelihood of confusion with the Complainant's trademarks as to the source, sponsorship, affiliation, or endorsement of its websites and of the products offered for sale thereon, in the meaning of paragraph 4(b)(iv) of the Policy.

Notably:

- the disputed domain name is confusingly similar to the Complainant's prior and well-known trademark,

- when active, the disputed domain name resolved to a website purporting to be an official shop associated with the Complainant, notably reproducing the Complainant's trademarks, including its logos, and referring to "the global OnlyFans creator community", which directly echoed the Complainant's activity, as it provides a social media platform for content creators,

- the Respondent did not reply to the Complainant's cease and desist letter and has remained silent in this proceeding.

It necessarily results from the above findings that the Respondent registered the disputed domain name being fully aware of the Complainant's prior rights.

In addition, the manner in which the disputed domain name was used was misleading and intended for commercial gain.

In that regard, it is consistently held that the use of a domain name for illegitimate activity such as passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4.

At last, the fact that the disputed domain name is inactive at the time of the Decision does not change the above finding.

Indeed, panels have found that the non-use of a domain name (including a blank page) would not prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.1, section 3.3.

Having reviewed the available record, the Panel notes: i) the distinctiveness of the Complainant's trademark, ii) the fact that said trademark is well known, iii) the composition of the disputed domain name, iv) the failure of the Respondent to submit a Response or to provide any evidence of actual or contemplated good-faith use, v) the Respondent's use of privacy service to conceal its identity, and vi) the implausibility of any good faith use to which the disputed domain name may be put given this overall context and its previous conditions of use.

Therefore, the Panel finds that in the circumstances of this case the current passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <onlyfansgo.shop> be transferred to the Complainant.

/Fabrice Bircker/
Fabrice Bircker
Sole Panelist
Date: November 9, 2026