

## **ADMINISTRATIVE PANEL DECISION**

Yandex LLC v. Mike Fox  
Case No. DFM2025-0001

### **1. The Parties**

The Complainant is Yandex LLC, Russian Federation, represented by Brand Monitor LLC, Russian Federation.

The Respondent is Mike Fox, Estonia.

### **2. The Domain Name and Registrar**

The disputed domain name <yandex.fm> is registered with Instra Corporation Pty Ltd. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 31, 2025. On November 3, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 24, 2025, 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 (The RDAP server redacted the value) and contact information in the Complaint. The Center sent an email communication to the Complainant on November 24, 2025, 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 November 26, 2025.

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 November 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 18, 2025.

The Center appointed Christiane Féral-Schuhl as the sole panelist in this matter on December 23, 2025. 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 one of the leading IT-company founded in 1997 and based in the Russian Federation. It provides Internet-related products and services including a web browser, search engine, cloud computing, web mapping, online food ordering, streaming media, particularly Russian largest subscription music streaming service, online shopping and a ridesharing company.

The Complainant is the owner of several trademarks (the “YANDEX Trademarks”), registered in various jurisdictions for a wide range of goods and services, including:

- The Russian trademark YANDEX, No. 164, recognized as well-known trademark on January 1, 2012, for services in classes 35 and 42;
- The International trademark (figurative) YANDEX, No. 820785, registered on November 10, 2003, for goods and services in classes 1 to 44; and
- The International trademark (combined) YANDEX, No. 1765266, registered on August 7, 2023, for goods and services in classes 8, 9, 12, 16, 18, 21, 25, 28, 35, 36, 38, 39, 41, 42, 43 and 45.

The disputed domain name was registered by the Respondent on January 5, 2010, and at the time of the Complaint was redirecting to a music and podcast streaming platform. At the time of the Decision, the disputed domain name is inactive.

#### **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 YANDEX Trademarks. It underlines that it is the owner of several YANDEX Trademarks across multiple jurisdictions, including well-known trademarks. The Complainant submits that the disputed domain name incorporates the YANDEX Trademarks in their entirety and the country-code Top-Level Domain “.fm”, perceived as an abbreviation for Frequency Modulation, may indicate a reference to radio and music-related services offered by the Complainant. The Complainant emphasizes that, as a well-known trademark, YANDEX is protected in relation to any goods and services where there is a likelihood of confusion.

Then, the Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Complainant submits that it has never licensed or otherwise permitted the latter to use its YANDEX Trademarks or to register a domain name incorporating it, noting that “Yandex” is a fictional word exclusively associated with the Complainant. The Complainant further contends that the disputed domain name has not been used for a bona fide offering of goods or services or for any legitimate noncommercial or fair use. On the contrary, the Complainant argues that the Respondent used the disputed domain name to redirect Internet users to a competing music streaming platform, thereby seeking to take unfair advantage of the reputation of the YANDEX Trademarks.

Finally, the Complainant submits that the disputed domain name was registered and is being used in bad faith. The Complainant contends that the Respondent registered the disputed domain name knowing of the Complainant's well-known YANDEX trademarks and used it primarily to redirect Internet users to a competitor's website, creating a likelihood of confusion with the Complainant's trademarks and attempting to disrupt the Complainant's business.

## **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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the YANDEX Trademarks for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 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 3.0](#), 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 notes that 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 the YANDEX Trademarks in the disputed domain name or in any other manner. Moreover, the disputed domain name consists of an identical reproduction of the Complainant's YANDEX Trademarks and UDRP panels have also found that domain names identical to a complainant's trademark carry a high risk of implied affiliation. [WIPO Overview](#)

[3.0](#), section 2.5.1.

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 notes that the Respondent has registered the disputed domain name after the registration of the YANDEX Trademarks and has used it to redirect Internet users to a competing music streaming platform. Accordingly, the Respondent's actions demonstrate registration and use in bad faith, particularly as an attempt to disrupt the business of the Complainant by diverting users from the Complainant's music service and to take unfair advantage of the reputation and goodwill of the Complainant.

Moreover, at that at the time of the Decision the disputed domain name is inactive.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness and reputation of the Complainant's trademark, the lack of response from the Respondent and the composition of the disputed domain name and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of 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 <yandex.fm> be transferred to the Complainant.

*/Christiane Féral-Schuhl/*

**Christiane Féral-Schuhl**

Sole Panelist

Date: January 5, 2026