

ADMINISTRATIVE PANEL DECISION

Zora Labs, Inc. v. Abdelsalam Abdelgader
Case No. DIO2025-0014

1. The Parties

The Complainant is Zora Labs, Inc., United States of America (“United States”), represented Brown Rudnick LLP, United States.

The Respondent is Abdelsalam Abdelgader, Canada.

2. The Domain Name and Registrar

The disputed domain name <usezora.io> is registered with Hostinger Operations, UAB (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 18, 2025. On April 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 23, 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 and contact information (John Doe) in the Complaint. The Center sent an email communication to the Complainant on April 25, 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 April 29, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the .IO Domain Name Dispute Resolution Policy (the “Policy”), the Rules for .IO Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for .IO 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 April 30, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 22, 2025.

The Center appointed Steven A. Maier as the sole panelist in this matter on May 28, 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.

On June 13, 2025, the Panel issued Procedural Order No. 1. directing the Complainant to amend the Complainant to address various formal irregularities. The Complainant filed a further amended Complainant accordingly on June 16, 2025. The Respondent did not make any comment on the Complainant's further amended Complaint by the appointed date of June 23, 2025.

4. Factual Background

The Complainant operates a Web3 platform enabling users to create and trade in digital content on the blockchain. It offers a social connection to users primarily through the creation, buying and selling of digital tokens, and claims to be one of the world's most prominent NFT (non-fungible token) marketplaces.

The Complainant provides evidence of its use of the mark ZORA since February 2020, including an announcement on Twitter dated February 22, 2020, promoting the "first Zora Drop".

The Complainant is the owner of trademark registrations for the mark ZORA, including United States trademark registration number 7692850 for the word mark ZORA, registered on February 18, 2025 in International Classes 9, 36 and 42. Its registration in Class 42, for "Providing use of non-downloadable web-based applications for allowing individuals to come together to create, buy and sell collectibles and digital assets containing artwork authenticated by non-fungible digital tokens (NFTs)...", specifies a date of first use in commerce of February 21, 2020.

The Complainant operates a website at "www.zora.co" and is also the owner of the domain name <ourzora.com>, registered on January 16, 2020, which redirects to that website.

The disputed domain name was registered on December 7, 2024.

The Complainant exhibits evidence that, on April 17, 2025, the disputed domain name resolved to a website promoting a product named "Zora AI". The website offered services including a "Social Media Manager" enabling content creation and engagement, and also a "Crypto Financial Advisor".

At the date of this Decision, the disputed domain name resolved to a holding page operated by the Registrar.

5. Parties' Contentions

A. Complainant

The Complainant submits that its trademark ZORA is distinctive and has become well known in its sector, owing to prominent and continuous since February 2020. It states that it has been responsible for record-breaking sales of NFTs for prices of up to USD 6 million. It claims over 234,000 followers on X and over 40,000 on Instagram.

The Complainant submits that the disputed domain name wholly incorporates its ZORA trademark, with the addition only of the generic term "use". It contends that the disputed domain name is therefore confusingly similar to its trademark.

The Complainant submits that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that it has no relationship with the Respondent and has never authorized it to use its ZORA trademark, that the Respondent has not commonly been known by the disputed domain name and that the Respondent is making neither bona fide commercial use nor legitimate noncommercial or fair use of

the disputed domain name.

The Complainant contends that the disputed domain name was registered, or has been used, in bad faith. It claims that the Respondent uses its website to trade off the Complainant's trademark for financial gain, by offering similar goods and services to those of the Complainant, and by giving the false impression that its website is duly authorized by the Complainant. The Complainant submits it is unfathomable that the Respondent was unaware of the Complaint, its ZORA trademarks and its URLs when it registered the disputed domain name and identified itself with a similar name. The Complainant adds that the Respondent used a privacy service to mask its identity, and that enquiries against the Registrar-disclosed Respondent's name did not yield any results linking that individual with either the address provided on registration or any business involving the name "Zora".

The Complainant requests the transfer of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

In order to succeed in the Complaint, the Complainant is required to show that all three of the elements set out under paragraph 4(a) of the Policy are present. Those elements are 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 or is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant has established that it is the owner of registered trademark rights in the mark ZORA. The first element under the Policy engages the Complainant's standing to bring the proceeding, and in those circumstances it is immaterial (although potentially relevant to the second and third elements) that the disputed domain name was registered on a date prior to that of the Complainant's trademark registration.

The disputed domain name comprises the Complainant's trademark ZORA preceded by the dictionary term "use", which does not prevent the trademark from being recognizable within the disputed domain name. The Panel therefore finds that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights, and the first element under the Policy is satisfied.

B. Rights or Legitimate Interests

In the view of the Panel, the Complainant's submissions set out above give rise to a prima facie case that the Respondent has no rights or legitimate interests in respect of the disputed domain name. However, the Respondent has failed to file a Response in this proceeding and has not submitted any explanation for its registration and use of the disputed domain name, or evidence of rights or legitimate interests on its part in the disputed domain name, whether in the circumstances contemplated by paragraph 4(c) of the Policy or otherwise.

Moreover, the Panel is not persuaded that the Respondent's active use of the disputed domain name, which appears to have ceased as of the date of this Decision, represented a bona fide business venture, as opposed to a sham or pretext for taking unfair advantage of the Complainant's trademark rights. The

Respondent has provided no explanation of its use of the Complainant's distinctive ZORA trademark within the disputed domain name, which it has used for the purposes of a website purporting to offer similar products and services to those provided by the Complainant. Furthermore, the Respondent's use of the disputed domain name, even for the purposes of that supposed website, appears now to have ceased.

The Panel finds in the circumstances that the second element under the Policy is established.

C. Registered or Used in Bad Faith

The Panel is satisfied, on the evidence available to it, that as of the date of registration of the disputed domain name, the Complainant's trademark ZORA had become distinctive of the Complainant's services in the digital token and NFT sector and widely recognized in that sector. The Respondent has provided no explanation for its adoption of the name and mark ZORA within the disputed domain name, or for the use of the disputed domain name, at least initially, in connection with services which appeared to overlap with those of the Complainant. In addition, the Respondent's said use of the disputed domain name appears to have been discontinued.

In the circumstances, the Panel infers on the balance of probabilities, that the Respondent is most likely to have registered the disputed domain name with the Complainant's ZORA trademark in mind, and with the intention of taking unfair commercial advantage of the Complainant's commercial goodwill attaching to that trademark. More particularly, the Panel finds that, by using the domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service upon that website.

The Panel therefore finds that the third element under the Policy is satisfied.

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, <usezora.io>, be transferred to the Complainant.

/Steven A. Maier/

Steven A. Maier

Sole Panelist

Date: June 27, 2025