

ADMINISTRATIVE PANEL DECISION

Interzone Division LLC v. Григорий Коломойский (HRYHORYI KOLOMOISKYI), SNCTM
Case No. DUA2025-0015

1. The Parties

The Complainant is Interzone Division LLC, United States of America ("United States"), represented by Lipkus Law LLP, United States.

The Respondent is Григорий Коломойский (HRYHORYI KOLOMOISKYI), SNCTM, Ukraine, self-represented.

2. The Domain Name and Registrar

The disputed domain name <snctm.com.ua> is registered with ua.sitevalley / PE Skurikhin Mykola (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on September 19, 2025. On September 19, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 19, 2025, the Registrar transmitted by email to the Center its verification disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (n/a, not published) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 22, 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 amended Complaints on September 23 and 30, 2025.

On September 22, 2025 the Center informed the parties in Ukrainian and English, that the language of the registration agreement for the disputed domain name is Ukrainian. On September 30, 2025, the Complainant confirmed its request that English be the language of the proceedings. The Respondent did not submit any comment on the Complainant's submission but sent a communication in Ukrainian on September 24, 2025, and communications in English on October 2, 7, and 22, 2025, and filed a Response in English on October 31, 2025.

The Center verified that the Complaint together with the amended Complaints satisfied the formal requirements of .UA Domain Name Dispute Resolution Policy (the “.UA Policy”), the Rules for .UA Domain Name Dispute Resolution Policy (the “.UA Rules”), and the WIPO Supplemental Rules for .UA Domain Name Dispute Resolution Policy (the “WIPO Supplemental Rules”).

In accordance with the .UA Rules, paragraphs 2 and 4, the Center formally notified the Respondent in English and Ukrainian of the Complaint, and the proceedings commenced on October 1, 2025. In accordance with the .UA Rules, paragraph 5(a), the due date for Response was October 21, 2025. The Respondent requested an extension to file a Response on October 22, 2025. The Respondent filed a Response in English on October 31, 2025.

The Center appointed Igor Alfiorov as the sole panelist in this matter on November 6, 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 .UA Rules, paragraph 7.

4. Factual Background

The Complainant, SNCTM, is an exclusive private members club founded in 2013 in Beverly Hills, California, dedicated to providing high-end social and entertainment experiences for its members and guests. Since its launch, the Complainant has organised a diverse range of events – including black-tie masquerades, luxury dinners, fetish and erotic arts classes, and pool party series – held in major cities such as New York, Miami, Moscow, and Kyiv, as well as other locations worldwide. The Complainant, its trademark and activities under the SNCTM brand received prominent media coverage in magazines, newspapers, and television. The Complainant also offers jewellery, pins, keychains, and other accessories through its website.

The Complainant owns United States Trademark Registration No. 6,712,855 (filed May 3, 2021 and registered on April 26, 2022) for the mark SNCTM in classes 10, 14, and 41. The Complainant also operates the domain name <snctm.com>, which it uses together with social media to promote its events and products.

The disputed domain name was registered on July 1, 2024. While the disputed domain name does not currently resolve to an active website, the evidence submitted shows that it previously resolved to a webpage in Russian titled “the most closed and elite club” (original version: “самый закрытый и элитный клуб”), and offered users the opportunity to book attendance at exclusive social and entertainment events purportedly organised in various cities in Ukraine and abroad, as well as offering accessories for sale.

After the Complaint was formally notified to the Respondent, the Respondent offered to transfer the disputed domain name to the Complainant in exchange for USD 5,000. The Complainant declined this proposal and requested that the administrative proceeding continue. Following the Complainant’s refusal, the Respondent submitted a Response, which the Panel will address in the relevant section below.

5. Parties’ Contentions

A. Complainant

The Complainant contends that all elements of paragraph 4(a) of the .UA Policy are satisfied.

The disputed domain name is identical to the Complainant’s SNCTM trademark. It wholly incorporates the SNCTM trademark while the addition of the country code Top-Level Domain (“ccTLD”) “.com.ua” does not affect the confusing similarity assessment.

The Respondent has no rights or legitimate interests in the disputed domain name. He was never authorized to use the SNCTM trademark and is not commonly known by the disputed domain name. Moreover, according to the provided evidence, the prior use of the disputed domain name to imitate the Complainant's website, display copied content, and promote unauthorized events and products under the SNCTM trademark cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The Respondent registered and used the disputed domain name in bad faith. The Respondent was clearly aware of the Complainant's trademark and its reputation and used the disputed domain name to mimic the Complainant's website, promote unauthorized events and products, and potentially engage in phishing by soliciting personal data and payments through associated channels by creating a false impression of affiliation.

The Complainant therefore requests transfer of the disputed domain name.

B. Respondent

After the Complainant declined the Respondent's settlement offer, the Respondent submitted his Response in form of a brief informal communication, asserting that its use of the SNCTM name in Ukraine was legitimate as part of a private cultural and social community operating under local regulations, and requesting dismissal of the proceedings for lack of infringement. The Respondent provided no evidence or substantiated arguments to support these claims.

6. Discussion and Findings

6.1 Procedural Issues

A. Location of the Respondent

Under paragraph 10 of the .UA Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceedings take place with due expedition.

The location of the Respondent disclosed by the Registrar and as was confirmed by the Respondent himself, is in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the .UA Rules, the conduct of the proceedings.

The Panel notes that the disputed domain name was registered on July 1, 2024 – over two years after the commencement of the international conflict, indicating that the Respondent has had access to the Internet and was able to not only register the disputed domain name but to control the website linked to it. Having considered all the relevant circumstances, and in light of the successful delivery of the Complaint to the Respondent, as well as the Respondent's reaction to receiving the Complaint, namely, a number of informal communications, and subsequently submitting a Response, the Panel is of the view that it should proceed. The Panel notes that the Respondent cited communication issues as an explanation for the lack of its timely Response but that in any event the Center granted the Respondent an extension in accordance with Article 2(2) of the Decision on the peculiarities of application of the .UA Domain Name Dispute Resolution Policy and the Rules for .UA Domain Name Dispute Resolution Policy under the martial law regime, and that a Response was filed; even though not timely, the Panel accepts the Response as relevant to the adjudication of the dispute, and notes the lack of material prejudice to the Complainant.

B. Language of the Proceedings

Paragraph 11(a) of the .UA Rules provides that “unless otherwise agreed by the Parties, the language of the administrative proceeding shall be the language of the Registration Agreement (which shall be in English, Russian or Ukrainian), subject to the authority of the Panel to determine otherwise, having regard to the circumstances of the administrative proceedings”.

The Complaint was filed in English. The Complainant requested that the language of the proceedings be English for several reasons, including the fact that the disputed domain name is in Latin script, the Respondent’s website used English-language content and United States’ currency – USD, the English-language content on the Complainant’s official website was reproduced nearly identically on the Respondent’s website, and that requiring translation would impose unnecessary cost and delay.

The Respondent did not comment on the Complainant’s request for the language of the proceedings be English but sent most of its email communications as well as filed the Response in English, indicating its ability to understand and use it.

In exercising its discretion to use a language other than that of the registration agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties’ ability to understand and use the proposed language, time and costs.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceedings shall be English.

6.2 Substantive Considerations

A. Identical or Confusingly Similar

The Panel finds that the Complainant has established rights in the SNCTM trademark through its registered United States trademark, predating the registration of the disputed domain name, and also keeping in mind its long-standing use since 2013 in connection with the private-members club, variety of events, and associated products.

The disputed domain name incorporates the SNCTM mark in its entirety. The ccTLD addition “.com.ua” is a standard registration requirement and is disregarded for the purposes of the confusing similarity test under paragraph 4(a)(i) of the .UA Policy.

The Panel therefore finds that the disputed domain name is identical to the Complainant’s trademark. The requirement of paragraph 4(a)(i) of the .UA Policy is satisfied.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the .UA Policy, the Complainant must demonstrate that the Respondent has no rights or legitimate interests in the disputed domain name.

The Panel agrees that the Complainant has made a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. In particular, the Respondent is not affiliated with the Complainant, was never authorized to use the SNCTM trademark and there is no evidence that the Respondent is commonly known by the disputed domain name.

Moreover, the Panel also finds that given that the disputed domain name is identical to the Complainant’s mark, it inherently carries a high risk of implied affiliation (see, e.g., *Nexans v. Yefremov Evgen*, WIPO Case No. [DUA2021-0019](#)). The Respondent used the disputed domain name to mimic the Complainant’s website, reproduce its content, and promote unauthorized events and products, without any clear indication

that the site was unrelated to the Complainant. These circumstances strongly suggest that the Respondent intended to mislead users and create a false impression of ownership or affiliation for commercial gain.

Such conduct indicates intentional exploitation of the Complainant's goodwill and reputation, which cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

The Respondent provided no evidence to rebut the Complainant's prima facie showing. The Respondent's brief Response contained only unsupported assertions of "legitimate use" and did not demonstrate any rights or legitimate interests.

Accordingly, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name. The requirement of paragraph 4(a)(ii) of the .UA Policy is satisfied.

C. Registered or Used in Bad Faith

Under paragraph 4(a)(iii) of the .UA Policy, the Complainant must demonstrate that the disputed domain name was registered or is being used in bad faith.

The Panel finds it beyond doubt that the Respondent knew of the Complainant and its SNCTM trademark when registering the disputed domain name. The Complainant's trademark has been in active use internationally since 2013 and the disputed domain name was registered long after the Complainant had established rights and reputation with respect to the SNCTM trademark. The Respondent then intentionally used the disputed domain name to imitate the Complainant's website and promote unauthorized events and products, thereby creating a false impression of affiliation. These circumstances strongly indicate opportunistic bad faith (see *Michael Kors (Switzerland) International GmbH. v. Minakova Maria*, WIPO Case No. [DUA2020-0002](#)).

Moreover, the Respondent used the disputed domain name to promote unauthorized events and products under the Complainant's SNCTM mark and to solicit personal data and payments via email and Telegram channels. Such conduct amounts to impersonation (and possible phishing), which panels consistently consider strong evidence of bad faith use under paragraph 4(b) of the .UA Policy.

In addition, after notification of the Complaint, the Respondent offered to transfer the disputed domain name to the Complainant for USD 5,000. While the mere resale of a domain name is not automatically indicative of bad faith, in the present circumstances, where the record shows clear targeting of the Complainant, the offer to sell reinforces the inference that the Respondent sought to profit from and exploit the Complainant's trademark. (See *Ideal Standard International NV проти Дмитра Миколайовича Прокопенко*, WIPO Case No. [DUA2021-0004](#)).

The Respondent provided no credible explanation for the registration or use of the disputed domain name.

Accordingly, the Panel finds that the disputed domain name was both registered and used in bad faith. The requirement of paragraph 4(a)(iii) of the .UA Policy is satisfied.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the .UA Policy and 15 of the .UA Rules, the Panel orders that the disputed domain name <snctm.com.ua> be transferred to the Complainant.

/Igor Alfiorov/

Igor Alfiorov

Sole Panelist

Date: November 20, 2025