

ADMINISTRATIVE PANEL DECISION

Fenix International Limited c/o Walters Law Group v. Marin Lazanov,
MARINKATA LTD

Case No. D2025-0341

1. The Parties

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

The Respondent is Marin Lazanov, MARINKATA LTD, United Kingdom.

2. The Domain Names and Registrar

The disputed domain names <onlyfansjoin.com> and <onlyfansjoin.online> are registered with Network Solutions, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 28, 2025. On January 29, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On January 29, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Statutory Masking Enabled, and Perfect Privacy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 30, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. On January 30, 2025, the Complainant submitted an amendment to the Complaint.

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 January 31, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 20, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 21, 2025.

The Center appointed Anne-Virginie La Spada as the sole panelist in this matter on February 26, 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 an online social media platform that allows users to post and subscribe to audiovisual content.

Among other registrations, the Complainant owns the following trademark registrations for ONLYFANS:

- European Union trademark registration No. 17912377, registered on January 9, 2019, in classes 9, 35, 38, 41, and 42;
- United Kingdom trademark registration No. UK00917912377, registered on January 9, 2019, in classes 9, 35, 38, 41, and 42; and
- United States trademark registration No. 5769267, registered on June 4, 2019, in class 35.

The Complainant owns and operates an official website under the domain name <onlyfans.com>.

Both of the disputed domain names were registered on May 24, 2024.

The disputed domain name <onlyfansjoin.com> resolved to a website that offered a competing content creator platform and displaying a logo very similar to that of the Complainant. The disputed domain name <onlyfansjoin.online> did not appear to resolve to an active website.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to its well-known ONLYFANS trademark as they identically reproduce the denomination "onlyfans" with the addition of descriptive term "join", which does nothing to avoid confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain names for the following reasons: (i) 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 Complainant's marks in the disputed domain names; ii) the Respondent is not commonly known by the term "onlyfans"; iii) the disputed domain names carry a risk of implied affiliation with the Complainant and iv) the Respondent has not used, nor prepared to use the disputed domain names in connection with a bona fide offering of goods or services.

Finally, the Complainant contends that the Respondent has used and registered the disputed domain names in bad faith. Given the widespread commercial recognition of the Complainant's ONLYFANS mark and the presence of a similar logo on the website operated under the disputed domain name <onlyfansjoin.com>, it is highly likely, according to the Complainant, that the Respondent was aware of the Complainant's trademark rights at the time of registration of the disputed domain names. The Complainant asserts that the Respondent has clearly registered the disputed domain names to divert internet traffic from the Complainant's site to a website offering a competing content creator platform in direct competition with the Complainant's website. The Respondent is intentionally creating confusion in order to divert consumers from the Complainant's websites for commercial gain, a behavior which amounts to use in bad faith.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, a complainant must assert and prove each of the following:

- (i) the domain name registered by the respondent 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 domain name; and
- (iii) the domain name registered by the respondent has been registered and is being used in bad faith.

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 names. 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 names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, "join") 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 names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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 names. 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 names such as those enumerated in the Policy or otherwise.

In the present case, the Panel observes that the disputed domain names carry a risk of implied affiliation with the Complainant, as they combine the Complainant's trademark with the term "join", which is likely to suggest sponsorship, affiliation, or endorsement by the trademark owner and/or that the disputed domain names in question corresponds to an official website. See [WIPO Overview 3.0](#), section 2.5.1.

Furthermore, the Respondent does not appear to have operated any bona fide or legitimate business under the disputed domain names and is not making a noncommercial or fair use of the disputed domain names.

In particular, the disputed domain name <onlyfansjoin.com> directed Internet users to an active website offering services in direct competition with those of the Complainant and displaying a logo very similar to that of the Complainant. In the Panel's view, this clearly demonstrates the Respondent's attempt to mislead Internet users seeking the Complainant's services and website.

The disputed domain name <onlyfansjoin.online> does not resolve to an active website.

Accordingly, the Respondent's use of the disputed domain names does not constitute bona fide offering of goods and services.

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 observes that the Respondent reproduced the Complainant's trademark on its website at the disputed domain name <onlyfansjoin.com>, and replicated the Complainant's logo, almost identically. Given the well-known character of the ONLYFANS trademark, the Panel accepts that the Respondent was aware of the existence of the Complainant and of its trademarks at the time of the registration of the disputed domain names and registered them to take unfair advantage of the Complainant's trademarks. The Panel finds accordingly that the disputed domain names were registered in bad faith.

The Respondent used the disputed domain name <onlyfansjoin.com> to direct to a website which offers services directly competing with the Complainant's services.

Panels have found that directing a domain name to a competitor's website may support a finding that a respondent has registered a domain name to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark, a behavior which amounts to use in bad faith according to paragraph 4(b)(iv) of the Policy (see section 3.1.4 of the [WIPO Overview 3.0](#)).

The Panel finds that by resolving the disputed domain name <onlyfansjoin.com> to a website offering competing services, where a logo nearly identical to that of the Complainant was also displayed, the Respondent intentionally tried to create a likelihood of confusion with the Complainant's mark and thus used the disputed domain name <onlyfansjoin.com> in bad faith.

The disputed domain name <onlyfansjoin.online> does not seem to have been used in connection to an active website. However, given that this disputed domain name <onlyfansjoin.online> was registered at the same time as the disputed domain name <onlyfansjoin.com> by the Respondent (which was used in connection with active website reproducing the ONLYFANS trademark, and creating confusion with the Complainant's services), it is likely that this disputed domain name <onlyfansjoin.online> was registered for the same bad faith purpose. Therefore, the passive holding of the disputed domain name <onlyfansjoin.online> does not prevent a finding of bad faith under the circumstances of this case. [WIPO Overview 3.0](#), section 3.3.

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 names <onlyfansjoin.com> and <onlyfansjoin.online> be transferred to the Complainant.

/Anne-Virginie La Spada/

Anne-Virginie La Spada

Sole Panelist

Date: March 14, 2025