



**CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE**  
**DOMAIN NAME DISPUTE**  
**ADMINISTRATIVE PANEL**  
**DECISION**

CIIDRC case number:	25028-UDRP	Decision date: 18 June 2025
Domain Name:	<b>weedverse.com</b>	
Panel:	<b>Dr Gustavo Moser</b>	
Complainant:	<b>Christos Fotiadis</b>  555 Skokie Blvd, Suite 500 WLO#500 Northbrook, Illinois United States of America	
Respondent:	<b>Monday Gabriel Orisamakin</b>  Ireakari Estate 1 Orita-obele Akure, Ondo State, 111111 Nigeria	

## 1 PROCEDURAL HISTORY

- 1.1 This Alternative Dispute Resolution (ADR) Proceeding is conducted pursuant to the Uniform Domain Name Dispute Resolution Policy (the “UDRP Policy”); the Rules for Uniform Domain Name Dispute Resolution Policy (the “UDRP Rules”), both issued under the auspices of the Internet Corporation for Assigned Names and Numbers (ICANN); and the Canadian International Internet Dispute Resolution Centre (the “Centre”, or the “CIIDRC” or the “Provider”) Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).
- 1.2 This ADR Proceeding concerns the domain name <weedverse.com> (the “Domain Name”).

- 1.3 The Complainant is Christos Fotiadis of Northbrook, Illinois, United States of America (the “Complainant”), self-represented.
- 1.4 The Respondent is Monday Gabriel Orisamakin of Akure, Ondo State, Nigeria (the “Respondent”), self-represented.
- 1.5 The Complainant and the Respondent are jointly referred to as the “Parties”.
- 1.6 The Domain Name <weedverse.com> was registered on 13 November 2018.
- 1.7 At the time of writing, the Domain Name resolves to <atom.com>, a landing page for domain sales (for present purposes, referred to as the “Respondent’s website”).
- 1.8 The procedural history of this case was set out in a letter from CIIDRC to the Panel (defined below):
- On 14 April 2025, the Complainant filed a Complaint with CIIDRC pursuant to the UDRP Policy and UDRP Rules via CIIDRC’s online platform;
  - On 15 April 2025, CIIDRC transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name;
  - On the same date, the Registrar transmitted by email to CIIDRC: (i) a verification response in respect of the identity and contact details for the Respondent; and (ii) a confirmation that the Domain Name had been placed on a Registrar lock status;
  - On 17 April 2025, CIIDRC confirmed that the Complaint complied with the formal requirements of the UDRP Policy, UDRP Rules, and the CIIDRC Supplemental Rules, and that the ADR Proceeding commenced on 17 April 2025;
  - On the same date, pursuant to Rule 4 of the UDRP Rules and Rule 5 of the Supplemental Rules, CIIDRC notified the Respondent of the ADR Proceeding and forwarded a Notice of Complaint;
  - The Respondent filed its Response to the Complaint on 6 May 2025; and
  - The Complainant and the Respondent elected for a Panel consisting of a single member.
- 1.9 On 16 May 2025, CIIDRC appointed Dr Gustavo Moser as a single-member Panel (the “Panel”). 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 CIIDRC to ensure compliance with Rule 7 of the UDRP Rules.
- 1.10 Due to a server error, the Panel did not receive access to the case materials until 3 June 2025. CIIDRC informed the Parties accordingly.

- 1.11 On 5 June 2025, the Panel issued Procedural Order No. 1 (the “PO1”, detailed in section 5.A.1), ordering the Parties to provide clarification on factual and material aspects relevant to the determination of the matter within a week.
- 1.12 The Parties filed supplemental evidence as required by the Panel. The Complainant objected to the admissibility of the Respondent’s final supplemental filing, which the Panel will address in section 5.A.2.
- 1.13 On 15 June 2025, the Panel issued Procedural Order No. 2 (the “PO2”, detailed in section 5.A.3) determining that the evidence submission period was closed and that the deadline for delivery of the Panel’s decision was extended to 20 June 2025.

## **2 FACTUAL ALLEGATIONS**

### **A. Complainant’s Allegations**

#### **A.1 Background history**

2.1 The Complainant asserts the following facts:

- The Complainant operates a digital platform that synergises cannabis culture with web-based technology, educational resources, and community engagement services.
- The Complainant’s trade mark WEEDVERSE (defined below in section A.2) serves as a unique and unambiguous identifier for the Complainant’s goods and services, thereby demonstrating its inherent distinctiveness.

#### **A.2 Trade mark standing**

2.2 For the purpose of this ADR Proceeding, the Complainant lays claim to two US trade mark registrations, which pertain to complementary services:

- US trade mark registration no. 7237345, registered on 5 December 2023 (first use in commerce 22 September 2021), for the mark WEEDVERSE, in class 35 of the Nice Classification, for an online marketplace dedicated to cannabis-themed digital assets; and
- US trade mark registration no. 7684638, registered on 11 February 2025 (first use in commerce 9 March 2022), for the mark WEEDVERSE, in class 35 of the Nice Classification, for the promotion of various brands and products.

(Collectively referred to as the “Complainant’s trade mark” or the “trade mark WEEDVERSE”).

2.3 The Complainant contends that its continuous commercial use and the aforementioned trade mark registrations firmly establish its rights to the trade mark WEEDVERSE, with rights predating any actions undertaken by the Respondent concerning the Domain Name.

2.4 The Complainant's trade mark WEEDVERSE has been promoted extensively and is widely recognised as identifying the Complainant's offerings. It has been used in commerce, promoted across digital platforms, and protected through registration in multiple jurisdictions. The Complainant operates its activities through the website <cryptoweed.studio>.

## **B. Respondent's Allegations**

### **B.1 Background history**

2.5 The Respondent, a seasoned domain name investor for nearly a decade, asserts ownership of the Domain Name, acquired in a <SAV.com> auction on 24 December 2024, alongside three other domain names.

## **3 CONTENTIONS OF THE PARTIES**

### **A. Complainant**

3.1 The Complainant's contentions may be summarised as follows:

#### **A.1 The Domain Name is identical to a trade mark in which the Complainant has rights**

3.2 The Complainant submits that the Domain Name is, for all practical and legal purposes, identical to the trade mark WEEDVERSE. The mere addition of the generic Top-Level Domain (the "TLD") is, under established UDRP principles, inconsequential in the assessment of confusing similarity. The trade mark WEEDVERSE is intrinsically linked to the Complainant's goods and services and was in active use prior to the Respondent's acquisition of the Domain Name.

#### **A.2 The Respondent has no rights or legitimate interests in respect of the Domain Name**

3.3 The Complainant firmly asserts that the Respondent has proffered no legitimate goods or services under the appellation "WeedVerse" and has retained the Domain Name solely for the purpose of resale. The evidence demonstrates a clear pattern of speculative resale, with price manipulations indicative of opportunistic behaviour rather than legitimate commercial utilisation.

3.4 The Respondent's evasive actions, notably the alteration of nameservers to circumvent enforcement measures subsequent to being flagged for trademark infringement, further corroborate the conspicuous absence of rights or legitimate interests in the Domain Name.

### **A.3 The Respondent registered and is using the Domain Name in bad faith**

- 3.5 The Complainant avers that the Respondent procured the acquisition of Domain Name following the establishment of the Complainant's trade mark rights, an act which, in itself, demonstrates bad faith. US case law establishes that re-registration occurring after the establishment of trade mark rights shall be regarded as an act of bad faith.
- 3.6 The Respondent, it is contended, has made no *bona fide* offerings and has engaged in a discernible pattern of speculative domain name holding, including an increase in price after notification of trade mark infringement and an offer to transfer the Domain Name. The utter lack of legitimate use, coupled with the Domain Name's identity to the Complainant's trade mark, satisfies the criteria for a finding of bad faith under the UDRP Policy.
- 3.7 Consequently, the Complainant concluded that the Respondent has registered and is using the Domain Name in bad faith.

### **B. Respondent**

- 3.8 The Respondent served a Response in the ADR Proceeding on 6 May 2025. The Respondent's contentions may be summarised as follows:

#### **B.1 Response to Factual and Legal Allegations**

- 3.9 The Respondent firmly disputes the Complainant's claim that the trade mark WEEDVERSE is a coined and distinct trade mark, arguing it is simply a descriptive combination of two common English terms. Importantly, the Domain Name was registered on 13 November 2018, well before the Complainant's alleged first use in commerce.
- 3.10 While the Complainant's trade mark registration no. 7237345 predates the Respondent's acquisition of the Domain Name, the trade mark registration no. 7684638 does not. The Respondent contends that allegations regarding the latter should be dismissed, as bad faith registration cannot apply to a trade mark that was non-existent at the time of the Domain Name acquisition. Furthermore, the Respondent challenges the Complainant's claims of being a multinational entity, citing a lack of supporting documentation, including the absence of a Certificate of Incorporation.
- 3.11 The Respondent refutes the Complainant's assertion that the Domain Name has not been used *bona fide*, clarifying that it is part of the Respondent's inventory. Price fluctuations from USD 599.00 to USD 19,988.00, attributed to alleged opportunistic intent by the Respondent, are considered reflective of market realities rather than exploitation of trade mark rights.

## **B.2 Response to Specific Allegations**

- 3.12 The Respondent categorically denies any outreach from the Complainant regarding a transfer outside of the ADR Proceeding and challenges the validity of claims surrounding DNS changes, asserting that such actions do not constitute bad faith.

## **B.3 Response to Similar Trade Mark**

- 3.13 The Respondent acknowledges the Complainant's trade mark WEEDVERSE but notes that the term is utilised by the Complainant alongside descriptors such as 'CryptoWeed', suggesting a lack of distinctiveness in its usage. The absence of evidence indicating consumer confusion further supports the Respondent's position, concluding that the Complainant operates without notable confusion.

## **B.4 Response to Legitimate Rights**

- 3.14 The Respondent maintains that listing the Domain Name for sale demonstrates legitimate rights. Changes in nameservers, far from negating this interest, fall within standard domain name management practices. The pricing history of the Domain Name is argued to be irrelevant post-acquisition, and the Respondent asserts there is no obligation to verify trade mark status prior to purchase.

## **B.5 Response to Bad Faith Registration and Use**

- 3.15 The Respondent refutes any assertion of bad faith intent associated with the Domain Name, maintaining ignorance of the Complainant's existence at the time of acquisition. Offering the Domain Name for sale is characterised as a rightful exercise of ownership, supported by relevant case law.
- 3.16 The Respondent further contends that listing the Domain Name across multiple marketplaces reflects standard industry practices rather than malice, framing the Complainant's claims as an attempt to disrupt legitimate business operations.

## **B.6 Reverse Domain Name Hijacking Counterclaim**

- 3.17 The Respondent posits that the Complainant exhibits a pattern of attempting to hijack domain names without holding valid business registrations for the associated trade marks. A formal finding of reverse domain name hijacking (the "RDNH counterclaim") is sought to discourage similar abuses of ADR proceedings under the UDRP framework, highlighting the misleading nature of the Complainant's allegations.

## **4 REMEDY SOUGHT**

- 4.1 The Complainant seeks a transfer to obtain the ownership of the Domain Name on the grounds set out in section 5.B below.

## 5 DISCUSSION AND FINDINGS

### A. Preliminary Matter: Supplemental Evidence

#### A.1 Procedural Order No. 1

5.1 On 5 June 2025, CIIDRC transmitted to the Parties the Panel's PO1, ordering the Parties as follows:

"[...]

**I. Complainant's Obligation:** *To submit documentary evidence of business incorporation and activities over the past ten years, including proof of presence or transactions outside the United States of America.*

**II. Respondent's Obligation:** *To submit documentary evidence of professional activities as a domain investor, including a comprehensive list of all domain names bearing the 'verse' component.*

**III. Response Deadline:** *the Parties shall submit their responses to PO1 by **12 June 2025** (PDT time).*

"[...]"

#### 4. SETTLEMENT

*4.1 If applicable and appropriate, the Parties also directed to engage in good faith settlement discussions and to report back to the Panel regarding such discussions by the same deadline."*

#### A.1.1 Complainant's Response to PO1

5.2 The Complainant submitted a response to PO1 on 12 June 2025, the details of which are outlined below:

**"Complainant's Supplemental Filing in Response to Procedural Order. No. 1**

#### **I. Introduction**

1. *This document constitutes the Complainant's Supplemental Filing, submitted in response to the Panel's Procedural Order No. 1 (the "Order"), dated June 2, 2025. This submission provides the documentary evidence and clarification requested by the Panel.*

#### **II. Evidence of Business Incorporation and Structure**

2. *In response to the Panel's request for evidence of business incorporation, the Complainant states the following facts to clarify the business structure and rebut the Respondent's unsupported allegations.*
3. *The WEEDVERSE® trademark is, and always has been, held by the Complainant as an **individual**. The Complainant himself initiated all commercial activities under the mark starting in September 2021.*
4. *To formalize the growing operation, in **January 2022**, the Complainant, who is also an equity holder in the company, licensed the commercial use of the WEEDVERSE® mark and its ecosystem to **Delta 9 Limited**, an Ohio-based company in good standing. Delta 9 LTD has since managed the commercial activities for the brand. Attached as **Annex [Delta 9 Cert of Good Standing.pdf]** is a Certificate of Good Standing for Delta 9 LTD from the State of Ohio.*
5. *The Respondent's allegations regarding the Complainant's business presence in Illinois are erroneous and based on a misunderstanding of USPTO records. The Complainant's Illinois address on file with the USPTO is a designated **correspondence address**, which is distinct from a domicile or business address.*

### **III. Evidence of Business Activities**

6. *In response to the Panel's request for evidence of business activities over the past ten years, the Complainant notes that the WEEDVERSE® brand and its commercial use began in **2021**.*
7. *The Complainant's first use in commerce for the mark was September 22, 2021. Since that time, these business activities—initially conducted by the Complainant as an individual and subsequently managed through the licensee Delta 9 LTD—have been continuous and include:*
  - **Operation of the Online Portal:** *Managing the cryptoweed.studio website, which serves as the hub for the WeedVerse® ecosystem.*
  - **Creation and Sale of Digital Assets:** *Actively creating and listing for sale high-end, lore-based WeedVerse® NFTs on global marketplaces. **The Complainant's presence on global market Rarible was established in the original Complaint.** As further evidence of this global commercial activity, a screenshot of the Complainant's storefront on another major platform, OpenSea, is attached as **Annex [CryptoWeed – Profile\_OpenSea.pdf]** where additional WeedVerse® branded items are available.*
  - **Active Trademark Enforcement:** *Vigorously defending the trademark against infringement across multiple online venues. This includes not only the formal notice sent to GoDaddy (attached within Annex archive **[GoDaddy Infringement and Offer notice.zip]**) but also successful enforcement actions on social media platforms like X.com (formerly Twitter). As evidenced by the correspondence and screenshot in the attached Annex archive **[X.com Enforcement Evidence.zip]**, the Complainant filed a trademark complaint with X.com which resulted in the suspension of an infringing account. The Complainant is currently working with X.com support to have the @weedverse handle transferred to its control.*

### **IV. Evidence of International Presence**

8. *The cryptoweed.studio website serves as the primary online hub for the WeedVerse® ecosystem. Attached as **Annex [cryptoweed global traffic.png]** is a*

screenshot from this website's analytics platform, demonstrating the international presence that the WeedVerse® ecosystem has already established.

9. As the "Traffic by Location" heatmap clearly demonstrates, while the Complainant's primary audience originates in the United States, there is a significant and established presence of visitors from the United Kingdom. Furthermore, the data shows additional organic traffic from various other international regions, including continental Europe, Southeast Asia, and Japan.
10. This evidence of a global audience for the Complainant's existing ecosystem unequivocally satisfies the Panel's request for "proof of presence" outside the United States and proves that the WEEDVERSE® mark and its component brands have a reputation that extends beyond domestic borders.

#### **V. Final Argument and Compliance with Settlement Directive**

11. Pursuant to Section 4 of the Order, the Complainant complied with the directive to engage in good-faith settlement discussions. On June 6, 2025, the Complainant contacted the Respondent directly via a "Without Prejudice" email, reiterating a settlement offer of **\$200 USD** that was first made on March 26, 2025. A delivery report confirming the successful delivery of this email to the Respondent is attached as **Annex [PO1 Email Delivery Report.pdf]**.
12. The Complainant provided the Respondent with a clear deadline of 00:00 UTC on Tuesday, June 10, 2025, to respond. That deadline has passed, and the Respondent has not replied. This silence is taken as a rejection of the Complainant's reasonable offer. As such, the Complainant respectfully requests that the Panel decide this matter on its merits.
13. The Respondent's central claim of a legitimate interest in holding [weedverse.com](https://weedverse.com) as a resale asset is illusory. Due to the Complainant's clear and enforced trademark rights, there is no good-faith, open market for this domain to any legitimate third party. Any potential buyer would be knowingly acquiring a domain subject to immediate legal action for trademark infringement.
14. The Respondent's bad faith is further evidenced by his continued holding of a domain that is now commercially defunct. His silence in response to a reasonable settlement offer further proves this point. No rational **domain** investor holding a legitimate asset ignores a cash offer; however, a cybersquatter holding a domain only as leverage often will, in the hope of a larger payout. The Respondent's refusal to transfer the domain demonstrates that his sole purpose is to hold it as leverage against the Complainant, which is the very definition of bad faith under the Policy.
15. As evidenced within attached Annex archive **[GoDaddy Infringement and Offer notice.zip – Godaddy WeedVerse® TM demand.pdf]**, the Respondent was given a 10-day window to resolve this matter amicably months ago. Only after the expiration of that deadline and in response to the Respondent's evasive "whack-a-mole" tactics did the Complainant file this UDRP, precisely as stated in the original notice.
16. For the foregoing reasons, the Complainant has proven all three elements required under the Policy and respectfully requests the Panel to order the transfer of the [weedverse.com](https://weedverse.com) domain".

- 5.3 On 12 June 2025, the Complainant provided, without copy to the Respondent, the executed trade mark license agreement between the Complainant and Delta 9 Limited.

### A.1.2 Respondent's Rebuttal to Complainant's Response to PO1

5.4 On 12 June 2025, the Respondent rebutted the Complainant's Response to PO1, summarising as follows:

- The Complainant's claims lack merit, marked by inconsistencies and falsehoods, and consequently, the Respondent requests a finding of RDNH;
- The Respondent disputes the Complainant's representation of its business structure, alleging a lack of understanding of corporate entities while highlighting the Complainant's sole ownership of Delta 9 Limited, not previously disclosed;
- The Respondent avers that the Complainant has failed to provide adequate evidence of extensive use of the Complainant's trade mark in commerce and dismisses website analytics as unreliable proof of international presence;
- The Respondent maintains its rejection of the Complainant's settlement offer, arguing that owning the Domain Name for resale is legitimate and does not constitute bad faith; and
- The Complainant has not satisfied all three elements of the UDRP Policy. In particular, the Complainant has failed to prove the Respondent's lack of rights or legitimate interest, as well as bad faith registration and use of the Domain Name.

### A.1.3 Respondent's Final Response to PO1

5.5 On 13 June 2025, the Respondent submitted a final response to PO1, the details of which are as follows:

*"FINAL SUPPLEMENTAL FILING IN RESPONSE TO PANEL'S PROCEDURAL ORDER NO.1*

*Introduction:*

*1. Respondent did not notice the Procedural Order No. 1 email sent to the parties until the Complainant's email response to said email in June 12, 2025. This explains Respondent's initial confusion to Complainant's "Without Prejudice" email which Respondent promptly forwarded to the CIIDRC Resolution email address [resolution@ciidrc.org](mailto:resolution@ciidrc.org) (mailto:[resolution@ciidrc.org](mailto:resolution@ciidrc.org)) on June 6, 2025 with the message "What is this about?". Kindly see annex ConfusionEmail.pdf. Respondent did not receive a reply from the Center to clarify this.*

*2. Respondent also did not notice the attached Procedural Order No. 1 document requesting for more clarification from the Respondent until it was pointed out after Respondent had filed his initial Supplemental Filing on June 12, 2025.*

*3. In light of the above, Respondent submits this document and related annexes in*

satisfaction of his obligations as requested by the Panel pursuant to Procedural Order No. 1.

*LIST OF RESPONDENT'S DOMAIN NAMES THAT CORROBORATES HIS CLAIMS*

4. Respondent submits the following domain names as evidence of all the domain names in his portfolio that conforms to the preset formula "Keyword+Verse" as claimed in his original Response:

- > Frost Verse.com
- > Rota Verse.com
- > Radar Verse.com
- > Fusion Verse.com
- > Sato Verse.com
- > CogVerse.com

5. Respondent would like to note that the domain names Frost Verse.com, Rota Verse.com, Radar Verse.com, Fusion Verse.com and the disputed domain name WeedVerse.com were acquired in domain name auctions that were available to members of the general public when the relevant domain names expiration dates became due at Sav.com and they remain with Sav.com as at the time of filing this response.

6. Respondent notes that he has *DISABLED* the Privacy for all the domain names listed in this filing. However, Sav.com appears to be experiencing a technical issue at the moment so this updated setting is not reflected in the Whois records settings. Respondent has made Sav support aware of this issue in a Live Chat and they are working on it. See annex SavLiveChat.pdf

7. In light of the above, Respondent has attached the receipts for the affected domain names as annexes as evidence of his ownership of the domain names (See SavDomainsReceipts). Other listed domain names not registered at Sav.com can be independently verified by the Panel through a Whois Lookup.

8. Respondent further submits the following domain names as evidence of investment in domain names related to the Cannabis/Weed/MedicalMarijuana industry;

- > WeedUnit.com
- > Hempzy.com
- > HempHall.com

9. The ownership of the above listed domain names can be verified via a Whois Lookup.

10. Respondent reiterates his claims that these are good faith acquisitions that are not intended to target any specific individuals or entities, including the Complainant.

*EVIDENCE OF RESPONDENT'S ACTIVITIES AS A PROFESSIONAL DOMAIN NAME INVESTOR*

11. Respondent submits annex titled AfternicDashboard.pdf showing respondent's portfolio of **over a thousand domain names**.

12. Respondent submits annex titled AfternicMembership.pdf showing membership of Afternic since August 29, 2018.

13. Respondent clarifies that Afternic is a domain name marketplace fully owned and controlled by GoDaddy.

14. Respondent submits link to his public profile Atom (previously SquadHelp) marketplace: Atom Profile. Respondent notes that the page shows a membership date of February 9, 2019.

15. Respondent submits as annex WorkDroidSales.pdf, a payout transmittal document, as evidence of his sale of a domain name as recently as April 29, 2025 through the GoDaddy/ Afternic platform.

#### CONCLUSION

16. Respondent contends that he has fulfilled his obligations and provided sufficient evidence of his activities as a professional domain name investor by submitting proof of a recent domain name sales and memberships of multiple domain name sales platform.

17. Respondent contends that he has demonstrated his investments in generic and descriptive domain names by submitting a link to his publicly available profile at Atom where the Panel can see a list of more than 200 domain names listed on the platform.

18. Respondent clarifies that the disparity between the numbers of domain names listed on Afternic and Atom stems from the fact that it is generally accepted industry knowledge that Afternic sells more domain names due to GoDaddy's humongous reach. Plus, Atom demands an upfront fee of \$1 to review your domain names for listing on their platform. Afternic does not".

#### A.1.4 Complainant's Objection to the Respondent's Final Response to PO1

5.6 By email of 13 June 2025, the Complainant objected to the Respondent's Final Response to PO1, arguing as follows:

*"The Complainant strongly objects to the Respondent's request for leave to file yet another supplemental submission. The Respondent's request is a bad-faith attempt to abuse the UDRP process, and his excuse strains credulity to the breaking point.*

*The Panel's Procedural Order No. 1 was clear, direct, and unambiguous. The Respondent now claims he "did not notice" the section containing his explicit obligations. This is not a credible excuse; it is a confession of either gross negligence or a deliberate choice to ignore the Panel's directive.*

*The Respondent had his opportunity to comply. Instead of submitting the evidence he was ordered to produce, he made a conscious, strategic choice to submit a non-responsive filing filled with new, unsubstantiated allegations against the Complainant. He chose to attack rather than to comply. That choice must have consequences.*

*To grant the Respondent a "second bite at the apple" now would be fundamentally prejudicial to the Complainant and would make a mockery of the Panel's authority. The Respondent has already seen the Complainant's complete evidence and arguments. Allowing him to belatedly submit his evidence now would be akin to letting a party re-write their testimony after the other side has rested its case.*

*The Respondent's disregard for the Panel's explicit directive is consistent with the pattern of conduct that initiated this dispute: a disregard for established rules. This pattern began with his disregard for the Complainant's clear trademark rights at the time of registration and continues now with his contempt for the Panel's own rules.*

*This bad faith is so profound that the Respondent, in his own supplemental filing, suggested the domain could be sold to a cannabis company for use as an "online store"—a use that would directly infringe on the Complainant's specific trademark rights for online portals with cannabis themes. In effect, the Respondent has admitted his business model is to profit from selling a domain for an infringing purpose, creating a future defendant out of his own customer.*

*He is now treating the Panel's rules with the same contempt. The UDRP is not a forum for endless, piecemeal filings from parties who ignore direct orders. The Respondent made his choice. The record should be closed.*

*The Complainant respectfully demands that the Panel deny the Respondent's request and proceed to a decision based on the existing record".*

#### **A.1.5 Respondent's Comments to the Complainant's Objection to Respondent's Final Response to PO1**

5.7 On 13 June 2025, the Respondent provided comments to the Complainant's objection to Respondent's Final Response to PO1, arguing in summary as follows:

- The Respondent asserts good faith compliance with the Panel's PO1, despite initial confusion arising from CIIDRC's convoluted email communication;
- The Respondent rebuts any suggestion of bad faith for both non-response and subsequent compliance, maintaining a lack of familiarity with UDRP procedures;
- The Respondent's argument centres on the assertion that the information provided was explicitly requested by the Panel and is essential for an impartial decision;
- The Respondent contends that the Panel has discretionary power to admit the filing, as the information is material and relevant to the ADR Proceeding; and
- The Respondent maintains that fairness dictates admitting the Respondent's Final Response to PO1 to ensure an impartial administration of the ADR Proceeding.

#### **A.2 Panel's Determination: Admissibility of the Respondent's Final Response to PO1**

5.8 The Parties' Response to PO1 was due on 12 June 2025 (PDT time). The Panel notes that, as far as he can ascertain, the Respondent's Final Response to PO1 was filed on 13 June 2025 at 7:25 am, presumably Nigeria time (the Respondent's location). Thus, the submission is made within the stipulated deadline of PO1.

- 5.9 The Complainant seeks the inadmissibility of the Respondent's submission on the grounds that the Respondent had already had an opportunity to respond to PO1 (as indicated in the Respondent's rebuttal to Complainant's Response to PO1, section A.1.2 above) and that the Respondent strategically awaited the Complainant's submission to provide further response.
- 5.10 Paragraph 10(c) of the UDRP Rules requires the Panel to ensure that the ADR Proceeding takes place with due expedition, while paragraph 10(d) of the Rules provides that the Panel shall consider the admissibility, relevance, materiality and weight of the evidence. While the PO1 was intended for the Parties to submit all information at once, and it was expected that both Parties would abide by this principle, the Panel has nonetheless decided, on balance, to admit the Respondent's Final Response to PO1. The Respondent has provided evidence of an apparent misunderstanding upon CIIDRC's transmission of the PO1 to the Parties. Furthermore, the Panel considers that, failing to admit the filing would result in an error in its decision-making, given the materiality of the Respondent's submission.

### **A.3 Procedural Order No. 2**

- 5.11 On 15 June 2025, the Panel issued PO2, determining as follows:

“ [..]

2. *The Panel hereby ORDERS:*

a. *The evidence submission period is closed.*

b. *The deadline for delivery of the Panel's decision is extended to 20 June 2025”.*

### **B. The UDRP Threshold**

- 5.12 Pursuant to Rule 15(a) of the UDRP Rules, the Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the UDRP Policy, the UDRP Rules, and any rules and principles of law that the Panel deems applicable.
- 5.13 Paragraph 4(a) of the UDRP Policy sets out the **cumulative** grounds which the Complainant must establish to succeed:
- i. The Domain Name is identical or confusingly similar to a trade mark 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 has been registered and is being used in bad faith.

5.14 The onus rests with the Complainant to meet the above threshold. The evidentiary standard under this ADR Proceeding is the balance of probabilities, which provides the basis for the Panel to determine each of the three UDRP Policy grounds in turn.

### **B.1 Identical or Confusingly Similar**

5.15 The test under the first UDRP Policy ground entails a comparative analysis, wherein the Domain Name and the Complainant's trade mark are juxtaposed in a straightforward exercise.

5.16 For the Complainant to succeed, it must first provide evidence of rights in a trade mark or service mark, after which the Panel shall assess whether the Domain Name is identical or confusingly similar to the Complainant's trade mark.

5.17 The Panel is satisfied that the Complainant has UDRP-relevant rights in the registered trade mark WEEDVERSE since 2021.

5.18 The Domain Name <weedverse.com> incorporates the Complainant's trade mark WEEDVERSE within its string. The TLD <.com> is regarded as immaterial to the test.

5.19 The Panel therefore finds that the Complainant has met the requirement under paragraph 4(a)(i) of the UDRP Policy.

### **B.2 Rights or Legitimate Interests**

5.20 The second UDRP Policy ground provides that the Respondent must demonstrate that it has rights or legitimate interests in the Domain Name. Consequently, the burden rests with the Complainant to refute any such showing.

5.21 Paragraph 4(c) of the UDRP Policy provides a non-exhaustive list of examples by which the Respondent can demonstrate rights or legitimate interests in the Domain Name, as follows:

- (i) before any notice of this UDRP administrative proceeding, the Respondent's use of, or demonstrable preparations to use, the disputed domain name or a name corresponding to the disputed domain name in connection with a bona fide offering of goods or services; or
- (ii) the Respondent (as an individual, business, or other organisation) has been commonly known by the disputed domain name, even if the Respondent has acquired no trade mark or service mark rights; or

- (iii) the Respondent is making a legitimate non-commercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trade mark or service mark at issue.

- 5.22 The evidentiary standard under this ADR Proceeding stipulates that, where a complainant establishes a *prima facie* case that the respondent lacks rights or legitimate interest, the burden of production shifts to the respondent to provide evidence to the contrary.
- 5.23 The Respondent has served a Response in this ADR Proceeding and provided supplemental evidence as required by PO1.
- 5.24 The case file demonstrates that the Respondent is engaged in the business of “domain name investment”, possessing a portfolio of thousands of domain names, including several with the composition +verse, namely <frostverse.com>, <rotaverse.com>, <radarverse.com>, <fusionverse.com>, <satoverse.com>, and <cogverse.com>.
- 5.25 A material aspect of the test under this UDRP Policy ground, in the present matter, requires consideration of whether the Respondent’s activities qualify as *bona fide*.
- 5.26 The evidence presented confirms that the Respondent actively engages in the registration and resale of generic and descriptive domain names, including those following the formula ‘keyword + verse’; practices recognised and accepted within the domain name industry. For instance, in WIPO Case No. D2017-1961, *Virgin Enterprises Limited v. Domain Admin/This Domain is for Sale, Hugedomains.com*, the panel stated “[...] *The Respondent is a domainer which regularly registers domain names that include generic words for the purposes of selling them. Such business activities can be legitimate and are not in themselves a breach of the Policy, so long as they do not encroach on third parties’ trade mark rights. In this case, no evidence has been provided to establish that the Respondent has engaged in registering domain names that take advantage of the Complainant’s or third parties’ trade mark rights. The Respondent simply chooses to register generic words as domain names*”). This reasoning is further supported by WIPO Case No. D2021-2472, *SkyCell AG v. Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf / Joubin Safai*; and WIPO Case D2024-5126, *Lucien William Valloni v Domain Administrator, NameFind Cayman Islands Ltd*.
- 5.27 The Respondent has established a business model that appears to adhere to established industry practices, and there is no indication from the case file that its actions infringe on the Complainant’s trade mark or rights. Notably, the Panel observes that the Complainant does not appear to have any operations or recognition in the territory of the Respondent. The Complainant’s trade mark registrations are of limited geographical scope, and the Complainant provides no evidence of the reputation and public profile of those

trade marks, nor any basis to conclude that the Respondent was, or ought to have been, aware of the Complainant's trade marks when acquiring the Domain Name.

- 5.28 The case file does not indicate that the Respondent was aware of the Complainant's trade marks during the acquisition of the Domain Name, with the intent to take unfair advantage of the goodwill attached to those trade marks, in effect 'targeting' the Complainant's rights.
- 5.29 The 'verse' element of the Domain Name string, as discerned from the case file, is not unique to the Complainant and is in legitimate use by other parties in trade – though this would not necessarily absolve the Respondent if it were targeting any of those brand owners.
- 5.30 The Respondent explains its rationale for its purchase and its offer to sell the Domain Name, matters unrelated to the Complainant's trade mark.
- 5.31 The Panel therefore finds that the Complainant has failed to establish a *prima facie* showing of the Respondent's lack of rights or legitimate interests in the Domain Name under paragraph 4(a)(ii) of the UDRP Policy.

### **B.3 Registration and use in bad faith**

- 5.32 The evidence presented does not indicate that the Respondent intended to acquire the Domain Name to profit from or exploit the Complainant's trade mark, especially given the Respondent's acquisition of several other domain names similar to it, identifying the 'verse' component and embodying the 'keyword +verse' formula.
- 5.33 Moreover, there is no evidence in the case file suggesting that the Respondent had knowledge of the Complainant during the acquisition of the Domain Name, nor that it targeted the Complainant with the acquisition or its subsequent offering for sale. This precludes a finding of bad faith on the part of the Respondent. The Panel therefore finds the third element of the UDRP Policy has not been established.

### **B.4 Abuse of the ADR Proceeding**

- 5.34 In the Response, the Respondent asserts a counterclaim for RDNH.
- 5.35 Paragraph 1 of the UDRP Rules defines RDNH as '*using the Policy in bad faith to attempt to deprive a registered domain-name holder of a domain name*'. Paragraph 15(e) of the UDRP Rules provides, in its relevant part: "*[...] If after considering the submissions the Panel finds that the complaint was brought in bad faith, for example in an attempt at Reverse Domain Name Hijacking or was brought primarily to harass*

*the domain-name holder, the Panel shall declare in its decision that the complaint was brought in bad faith and constitutes an abuse of the administrative proceeding”.*

- 5.36 Paragraph 4.16 of the WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (the “WIPO Jurisprudential Overview 3.0”) provides further guidance regarding circumstances under which panels may find RDNH:

*[...] (i) facts which demonstrate that the complainant knew it could not succeed as to any of the required three elements – such as the complainant’s lack of relevant trademark rights, clear knowledge of respondent rights or legitimate interests, or clear knowledge of a lack of respondent bad faith (see generally section 3.8) such as registration of the disputed domain name well before the complainant acquired trademark rights, (ii) facts which demonstrate that the complainant clearly ought to have known it could not succeed under any fair interpretation of facts reasonably available prior to the filing of the complaint, including relevant facts on the website at the disputed domain name or readily available public sources such as the Whois database, (iii) unreasonably ignoring established Policy precedent notably as captured in this WIPO Overview – except in limited circumstances which prima facie justify advancing an alternative legal argument, (iv) the provision of false evidence, or otherwise attempting to mislead the panel, (v) the provision of intentionally incomplete material evidence – often clarified by the respondent, (vi) the complainant’s failure to disclose that a case is a UDRP refiling, (vii) filing the complaint after an unsuccessful attempt to acquire the disputed domain name from the respondent without a plausible legal basis, (viii) basing a complaint on only the barest of allegations without any supporting evidence”.*

- 5.37 In evaluating the RDNH counterclaim, the Panel must consider whether there has been an abuse of the ADR Proceeding in filing the Complaint. Panels have found in favour of respondents in cases where complaints are deemed unmeritorious, lacking any reasonable prospect of success, or when they are frivolous in nature. However, this is not applicable to the present case. The Complainant has articulated concerns reflecting a legitimate basis; yet, it is clear that there has been a failure to fully consider the nature of the Respondent’s business as a *bona fide* trader of generic and descriptive domain names. While the Panel finds no evidence of abuse of the process in the filing of the Complaint, it emphasises the importance of recognising the Respondent’s legitimate activities within the domain name sphere.
- 5.38 Although the Panel finds no evidence of abuse of the ADR Proceeding in this instance, it is essential for the Complainant to exercise due diligence in any future complaints. Careful consideration of the Respondent’s legitimate business activities and strict adherence to the applicable UDRP framework will contribute to a better understanding of the rules and remedies available in the domain name space for all parties involved. Consequently, the Panel denies the RDNH counterclaim.

**6 DECISION and ORDER**

6.1 For the foregoing reasons, the Complaint is denied.

Place: London, United Kingdom

Date: 18 June 2025

SIGNATURE OF PANEL



Gustavo Moser

