



CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

DOMAIN NAME DISPUTE

ADMINISTRATIVE PANEL

DECISION

CIIDRC case number:	25087-UDRP	Decision date: July 15, 2025
Domain Name:	cryptoweed.com	
Panel:	Melvyn J. Simburg, FCIArb.	
Complainant:	Christos Fotiadis	
Respondent:	Dan James, represented by Gerald Levine, Esq.	

1. PROCEDURAL HISTORY

The procedural history of this case was set out in a letter from the Canadian International Internet Dispute Resolution Centre to the Panel:

- 1.1 On April 23, 2025 Complainant Christos Fotiadis via the CIIDRC online platform filed a Complaint pursuant to the UDRP and the UDRP Rules.
- 1.2 The identity of the Registrant is not published in the public WHOIS database; therefore, the Registrant's name was not included in the Complaint.
- 1.3 On April 25, 2025, CIIDRC transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name, and on April 26, 2025, the Registrar responded advising of the identity of the Respondent and providing Respondent's listed contact details. In addition, the Registrar confirmed that the disputed domain name has been placed on a Registrar LOCK.
- 1.4 The Complainant was informed of the Respondent's information as provided by the Registrar and subsequently amended the Complaint.
- 1.5 CIIDRC checked the Complaint and determined that it satisfied the formal requirements of the UDRP Policy and Rules, and the CIIDRC Supplemental Rules. In accordance with Rule 4 (b)(f), the date of commencement of the Proceeding was set as May 16, 2025.
- 1.6 Also on May 16, 2025, pursuant to UDRP Rule 4 and Supplemental Rule 5, CIIDRC notified the Respondent of this administrative proceeding and forwarded by separate email to Respondent a Notice

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of Complaint and the username and login information necessary to view the Complaint and to file its Response thereto.

- 1.7 The deadline for a response was set as June 5, 2025.
- 1.8 The Respondent requested an extension of time to file a Response. As permitted by UDRP Rule 5(b), four extra calendar days in which to respond to the Complaint were granted to the Respondent. The new deadline was set for June 9, 2025.
- 1.9 At the Respondent's request, a further and final extension was granted, with the new deadline set for June 16th, 2025.
- 1.10 On June 12 and June 16, 2025, the Complainant submitted his supplemental filings.
- 1.11 On June 16, 2025, Gerald Levine, Esq., filed a Response on behalf of the Respondent.
- 1.12 On June 18, 2025, the Complainant filed a Notice of Errata and Supplemental Clarification of Evidence.
- 1.13 On June 19, 2025, Mr. Levine filed the Respondent's Response to Complainant's supplementary submissions.
- 1.14 The Complainant and the Respondent in this administrative proceeding have elected for a Panel consisting of a single member.
- 1.15 On June 20, 2025, in accordance with Rule 5 (d), CIIDRC appointed, Hon. Neil Brown, KC, as a single-member Panel in the above-referenced matter.
- 1.16 On June 24, 2025, the Complainant requested leave from the Panel to submit a supplemental filing and final rebuttal.
- 1.17 On June 24, 2025, counsel for the Respondent filed Respondent's Response to Complainant's latest Supplementary Submission.
- 1.18 On June 27, 2025, the Complainant filed a request for the recusal of the Panel.
- 1.19 On June 27, 2025, counsel for the Respondent advised that he does not join the Complainant's application seeking the recusal of the Honourable Brown, KC, as the administrative panelist in this matter. While expressing high regard for Hon. Brown, KC, Mr. Levine noted that the recusal is supported in order to protect the integrity of the process.
- 1.20 On July 2, 2025, CIIDRC received Hon. Brown's resignation from the appointment as Panelist in this matter.
- 1.21 In accordance with Rule 5 (d), CIIDRC appointed Melvyn Simburg, FCIArb, as a single-member Panel in the above-referenced matter, which appointment was accepted on July 6, 2025.
- 1.22 Both parties filed supplemental pleadings and documents until the Panel prohibited additional filings after July 11, 2025.

The Domain Name was registered on March 18, 2016.

This matter is conducted pursuant to the Uniform Domain Name Dispute Resolution Policy (the Policy) and the Rules for Uniform Domain Name Dispute Resolution Policy (the Rules) of the Internet Corporation for Assigned Names and Numbers (ICANN) as supplemented by the CIIDRC Supplemental Rules.

2. FACTS ALLEGED BY THE PARTIES

- 2.1 The Complainant is the founder, rights holder, and commercial developer of the CryptoWeed® brand — a distinctive, original, and internationally protected trademark used in connection with digital media, cannabis culture, and blockchain-based brand ecosystems.
- 2.2 Since September 11, 2021, when the Complainant first filed for the CryptoWeed® trademark in the United States, the brand has been actively developed for use across technology platforms, NFT marketplaces, and Web3-native online experiences.
- 2.3 The Complainant holds three active trademark registrations for CryptoWeed®:
 - United States: USPTO Reg. No. 7219477 (filed Sept. 11, 2021)
 - United Kingdom: WO0000001640238 (claiming priority from the U.S. application)
 - Canada: Reg. No. 2180929

3. CONTENTIONS OF THE PARTIES

3.1 Complainant

- 3.1.1 Since 2021, the Complainant has promoted the mark extensively across branded materials, digital storefronts, and online platforms. The CryptoWeed® brand has been used in commerce and developed in preparation for a consumer-facing launch — efforts which have been repeatedly obstructed by the Respondent’s control of the domain cryptoweed.com.
- 3.1.2 Respondent re-registered the domain on April 9, 2023 — well after the Complainant’s trademark rights were established. This re-registration is the legally significant act under both the UDRP and applicable U.S. law. Even if the domain had been previously registered by another party, the current registration constitutes a new act of acquisition in bad faith.
- 3.1.3 The domain name has never been used in connection with a legitimate business. It was initially listed for sale without any developed content, and was later modified to include false origin claims and solicitations for development offers — none of which qualify as bona fide use.
- 3.1.4 The Respondent is not commonly known by “CryptoWeed” and has never operated any business, entity, or service associated with the mark. There is no evidence the Respondent has ever used the name prior to re-registering the domain in 2023 — more than a year after the Complainant’s trademark rights were established.
- 3.1.5 The Respondent has not made any legitimate non-commercial or fair use of the domain. On the contrary, the domain was first monetized via listing for sale and later updated to include a message asserting false seniority and inviting commercial partnerships.
- 3.1.6 The Respondent is now actively inviting offers to “build a website” for third parties using the domain name — a direct attempt to capitalize on confusion and profit from a brand they do not own. This is precisely the type of misleading commercial behavior that the UDRP is designed to prevent.

3.2 Respondent

- 3.2.1 Respondent registered the disputed domain name <cryptoweed.com> on March 18, 2016.
- 3.2.2 Respondent has continually renewed registration <cryptoweed.com>, most recently earlier this year (Complainant's reference to 2023 involved a change of registrar).
- 3.2.3 Renewals and changes in the Whois are not critical at all. See WIPO Overview 3.0 at Sec. 3.9. Bad faith is not measured from the date of renewal but from the date a respondent acquires its right to hold and use a disputed domain name.
- 3.2.4 Complainant's USPTO trademark for CRYPTOWEED and Complainant's first use of the mark postdated the registration of the disputed domain name by several years. The application date was September 11, 2021, the registration date November 14, 2023, and the Complainant stated that the "first use anywhere was at least as early as 9/6/2021"
- 3.2.5 As Complainant's trademark had no presence in the market before September 2021, there can be no violation of the Policy.
- 3.2.6 The Complainant here has standing under the UDRP because it has a trademark before filing the complaint, but because the trademark postdates the registration of the domain name it has no actionable claim for bad faith.
- 3.2.7 The Respondent is an investor in domain names. The first to register a domain name unassociated with any owner of a trademark has a right whether or not it has "any legitimate reason." In this case, though, the Respondent acquired the disputed domain name for the very legitimate reason that it believed <cryptoweed.com> has intrinsic value. The combination of "Crypto" and "Weed" indeed has significant value.
- 3.2.8 As a general proposition, investors of domain names satisfy the circumstances of Para. 4(c)(i) of the Policy.
- 3.2.9 The Complainant intentionally commenced a proceeding that could not possibly succeed for the abusive purpose of harassing the Respondent in an attempt to deprive it of valuable property, thus warranting a finding of Reverse Domain Name Hijacking.

3.3 Remedy Sought

The Complainant requests the Domain Name be transferred to it.

4. DISCUSSION AND FINDINGS

4.1 Requirements

The domain name registration incorporates the Policy. Therefore, this dispute is properly within the scope of the Policy and the Administrative Panel has jurisdiction to decide the dispute. In accordance with Paragraph 4 of the Policy, the onus is on the Complainant to prove that:

1. the Domain Name is Identical or Confusingly Similar to a trademark or service mark in which the Complainant has rights;
2. the Respondent has no rights or legitimate interests in respect of the Domain Name; and
3. the Domain Name has been registered and is being used in bad faith.

The Panel will consider each of these requirements in turn.

4.2 Analysis

4.2.1 The Domain Name is Identical or Confusingly Similar to a Mark in which the Complainant has Rights

- 4.2.1.1 The Complainant is the owner of the trademark CRYPTOWEED, which Complainant has registered in the United States, Canada, and the United Kingdom.
- 4.2.1.2 Complainant states that the trademark is being “used in connection with digital media, cannabis culture, and blockchain-based brand ecosystems. Since September 11, 2021, when the Complainant first filed for the CryptoWeed® trademark in the United States, the brand has been actively developed for use across technology platforms, NFT marketplaces, and Web3-native online experiences.” Respondent does not dispute these claims.
- 4.2.1.3 Respondent does not dispute Claimant’s assertion that “Since 2021, the Complainant has promoted the mark extensively across branded materials, digital storefronts, and online platforms. The CryptoWeed® brand has been used in commerce and developed in preparation for a consumer-facing launch — efforts which have been repeatedly obstructed by the Respondent’s control of the domain cryptoweed.com.”
- 4.2.1.4 Complainant asserts that Complainant “has been forced to operate under the less commercially intuitive domain cryptoweed.studio, which is not the natural digital identifier of the brand. This displacement has harmed the Complainant’s ability to engage users, attract collaborators, and present a cohesive public-facing identity. It has also caused confusion among those who search for “CryptoWeed” expecting to find the Complainant’s offerings — only to encounter [Respondent’s] landing page.”
- 4.2.1.5 The Panel therefore finds that Complainant has established trademark or service mark rights in the name CRYPTOWEED for the purpose of the Rules.
- 4.2.1.6 The Disputed Domain Name comprises the Complainant’s trademark and registered trade name verbatim. Where a domain name uses the complainant’s trademark in its entirety, the domain is confusingly similar. The “.com” suffix is legally irrelevant in the analysis of similarity under the UDRP.
- 4.2.1.7 The Panel concludes that the disputed domain name is identical or confusingly similar to the Complainant’s trademark and that the Complainant has proved the requirement under paragraph 4(a)(i) of the Policy.

4.2.2 Rights or Legitimate Interests in respect of the Domain Name

- 4.2.2.1 According to paragraph 4(c) of the Policy, the presence of any of the following circumstances could demonstrate that the Respondent has rights or legitimate interest in respect of the Disputed Domain Name:
- i. before any notice to the Respondent of the dispute, there is any evidence of the Respondent’s use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services; or
 - ii. the Respondent (as an individual, business, or other organization) has been commonly known by the domain name, even if the Respondent has acquired no trademark or service mark rights; or

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

- 4.2.2.2 Respondent does not claim rights under subsections (ii) or (iii). Rather, Respondent claims rights under subsection (i) as an investor in domain names.
- 4.2.2.3 Claimant contends that there was a break in ownership, or that Respondent has not proved continuous ownership since 2016, and therefore Respondent's renewal of ownership in 2023 with a different registrar constituted registration after Claimant's trademark was registered and publicly known. However, the burden is on Claimant to show priority in time and Claimant's evidence fails to establish by a preponderance of credible evidence that Claimant's trademark registrations predated Respondent's domain name registration, or that there was a break and reregistration of the Disputed Domain Name. Therefore, the Panel concludes that Respondent's registration was without notice of the rights Claimant now asserts. This leaves for decision the question of whether Respondent had a legitimate interest in the domain name by offering or preparing to offer the sale of goods or services.
- 4.2.2.4 Claimant contends that Respondent obtained the domain name for the purpose of cybersquatting and has cited cases under the U.S. Anticybersquatting Consumer Protection Act. The purposes of that Act and the elements of violation do not match the purposes of the UDRP or the elements of compliance with the Policy and the Rules. Whether Claimant could prevail in an action under the Act is not before this Panel. Instead, the Panel must determine whether Respondent had a legitimate purpose in registering the Disputed Domain Name.
- 4.2.2.5 The Panel observes that without a showing by Complainant that Respondent had an improper purpose for its original registration of the Disputed Domain Name, the investment or speculation in a domain name for its potential value is adequate to support a "legitimate interest" under the Policy. Claimant has not countered the precedents cited by Respondent: The "Panel in *Academy, Ltd. v. Ramesh Singh*, Forum FA2301002026883 held that "Investing in common-word domain names is a perfectly legitimate business and can qualify as a bona fide offering of goods or services so long as the Respondent did not target a specific complainant or protected mark with a particular domain name..." See also *Brooksburnett Investments Ltd. v. Domain Admin / Schmitt Sebastien*, WIPO Case No D2019-0455 held that "[s]peculating in intrinsically valuable domain names represents a legitimate business interest in itself, unless the evidence points instead to a disguised intent to exploit another party's trademark." Similarly in *Karma International, LLC v. David Malaxos*, FA1812001822198 (Forum February 15, 2019) in which the Panel held that a registrant investing in domain names "has long been held to conduct a legitimate business.")" The Panel therefore concludes that Respondent had a legitimate interest in the Disputed Domain Name at the time Respondent registered it.

4.2.3 Registration and Use of the Domain Name in Bad Faith

- 4.2.3.1 According to paragraph 4(b) of the Policy, the presence of any of the enumerated, non-exhaustive circumstances would constitute evidence that the Disputed Domain Name has been registered and is being used by the Respondent in bad faith:

4.b. **Evidence of Registration and Use in Bad Faith.** For the purposes of Paragraph 4(a)(iii), the following circumstances, in particular but without limitation, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith:

- i. circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a

competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

- ii. you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or
- iii. you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- iv. by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site or other on-line location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site or location.

4.2.3.2 At the time Respondent acquired and registered the Disputed Domain Name, none of the listed activities was present or even possible since the Claimant's business initiation and trademark registrations did not take place until several years later. There can be no retroactive bad faith. See, *Green Tyre Company Plc. V. Shannon Group*, WIPO Case No. D2005-0877 in which the Panel found the "Respondent did not have the requisite bad faith when it registered the Domain Name [. . .] [because the] the circumstances as mentioned by the Complainant which are of a later date than the registration of the Domain Name, cannot lead to the conclusion that the original registration in good faith in retrospective has become a registration in bad faith."

4.2.3.3 The list of examples in paragraph 4(b) of the Policy is not exclusive. Complainant may show "bad faith" by other means. In this case, Complainant has raised several allegations of bad faith related to actions taken by Respondent in the context of this proceeding, and possibly before this dispute arose. Nevertheless, none of the alleged actions relate to the original purpose of Respondent in registering the Disputed Domain Name. Therefore, the Panel concludes that Complainant has not shown sufficient evidence to establish bad faith registration and use of the Disputed Domain Name.

4 DECISION and ORDER

For the above reasons, in accordance with Paragraph 4 of the Policy, Paragraph 15 of the Rules, and Rule 10 of the Supplemental Rules, and the Panel having found that Complainant failed to establish two of the three elements required to be proven under the Policy, the Panel concludes that the relief requested must be, and it is hereby, **DENIED**. The Panel also denies Respondent's request for a finding of Reverse Domain Name Hijacking as insufficiently supported by the evidence submitted.

Made as of the 15th day of July, 2025

SIGNATURE OF PANEL

