Decision for dispute CAC-UDRP-108472

Case number	CAC-UDRP-108472
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Domain names	atwentyfour.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	A24 Films LLC

Complainant representative

Organization	John B. Berryhill LLC

Respondent

Name	Nasha Alyssa

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is the registered owner of the A24 trademark, which is registered in the United States, inter alia, as follows: USPTO Reg. No. 4,596,070, registered on September 2, 2014, in International Class 41; USPTO Reg. No. 4,499,438, registered on March 18, 2014, in International Class 9; and USPTO Reg. No. 4,952,902, registered on May 3, 2016, in International Class 36. The Complainant also owns various international trademark registrations for the A24 trademark in jurisdictions including India, China, and Australia.

FACTUAL BACKGROUND

The Complainant is a media production and distribution company founded in 2012. The Complainant has evolved from a niche film distributor into a premier independent entertainment studio. The Complainant's success in film production is evidenced by its consistent nominations for Academy Awards from the Academy of Motion Picture Arts and Sciences during the period from 2014 through 2022. The Complainant made history in 2023 by becoming the first studio to win all six major awards (Best Picture, Best Director, and all four acting categories) in a single night. The Complainant was further nominated for awards at the 95th Academy Awards (2023), the 96th Academy Awards (2024), and the 97th Academy Awards (2025).

The Complainant has also been the subject of widespread media and popular recognition, as indicated in the extensive bibliography. The Complainant has further distinguished itself by positioning itself as a lifestyle brand rather than a traditional production house. The Complainant maintains a relationship with its audience through the social media channels including Facebook (658K followers),

Instagram (3.6M followers), X/Twitter (1.8M followers), and YouTube (1.7M followers). All of these social media channels prominently feature the Complainant's A24 branding, and the follower numbers demonstrate a substantial reputation and significant viewership associated with the Complainant's A24 branding.

The disputed domain name was registered on May 5, 2023. The website resolving from the domain name is blocked by standard antivirus software because it either redirects to or incorporates content from a known malware distribution system.

PARTIES CONTENTIONS

COMPLAINANT:

The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to the Complainant.

(i) The Complainant holds rights in the A24 trademark, as set forth in the "Identification of Rights" section above. The disputed domain name is confusingly similar to the Complainant's trademark A24 in that it consists of the verbal pronunciation of the Complainant's A24 mark, and can be considered to be phonetically identical.

(ii) The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is neither licensed nor otherwise authorized to use the Complainant's A24 mark, nor is the Respondent commonly known by the disputed domain name. Furthermore, the Respondent is not engaged in any bona fide offering of goods or services, nor any legitimate noncommercial or fair use of the disputed domain name. Rather, the disputed domain name resolves to a website that is blocked by standard antivirus software, because it either redirects to or incorporates content from a known malware distribution system. There is no justification or legitimate right in the distribution of malicious software, let alone the use of a variant of the Complainant's mark to do so.

(iii) The disputed domain name was registered and is being used in bad faith, thereby satisfying the cumulative requirement under the Policy that both bad faith registration and bad faith use be established. The disputed domain name was registered in 2023, long after the establishment of the Complainant's global reputation as reflected in its numerous accolades and awards, and certainly long after the establishment of the Complainant's trademark or service mark rights. The considerations under "legitimate rights" and bad faith overlap, as the apparent malicious activity being conducted via the domain name is, perforce, bad faith use of the domain name. Having registered the domain name well after the establishment of the Complainant's reputation, and then using a domain name likely to be confused with the Complainant's mark for malicious purposes, is quintessential bad faith registration and use.

RESPONDENT:

No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

Paragraph 15(a) of the Rules for the UDRP ('the Policy') instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable." Paragraph 4(a) of the Policy requires that the Complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

(1) the domain name registered by Respondent is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and

(2) 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.

In view of the Respondent's failure to submit a response, the Panel shall decide this administrative proceeding on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a) and 15(a) of the Rules and draw such inferences it considers appropriate pursuant to paragraph 14(b) of the Rules. The Panel is entitled to accept all reasonable allegations and inferences set forth in the Complaint as true unless the evidence is clearly contradictory. See Vertical Solutions Mgmt., Inc. v. webnetmarketing, inc., FA 95095 (FORUM July 31, 2000) (holding that the respondent’s failure to respond allows all reasonable inferences of fact in the allegations of the complaint to be deemed true); see also Talk City, Inc. v. Robertson, D2000-0009 (WIPO Feb. 29, 2000) (“In the absence of a response, it is appropriate to accept as true all allegations of the Complaint.”).

Rights

The Complainant asserts ownership of the registered trademark A24, as identified in the “Identification of Rights” section above. The Panel recognizes that a national trademark registration is sufficient to establish rights in a mark. Accordingly, the Panel finds that the Complainant has established its rights in the A24 trademark.

The Complainant further contends that the disputed domain name **<atwentyfour.com>** is confusingly similar to its A24 mark, as it consists of the verbal pronunciation of the Complainant's A24 mark, and can be considered to be phonetically identical. The Panel agrees and finds that the disputed domain name is confusingly similar to the Complainant’s A24 mark.

No rights or legitimate interests

A complainant must first make a prima facie case that a respondent lacks rights and legitimate interests in the disputed domain name under Policy paragraph 4(a)(ii), after which the burden shifts to the Respondent to demonstrate it does have rights or legitimate interests. See Section 2.1, WIPO Overview 3.1 ("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. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element.").

Relevant information, such as WHOIS data, can serve as evidence to demonstrate whether the Respondent is or is not commonly known by the disputed domain name under Policy Paragraph 4(c)(ii). The Panel notes that the WHOIS data lists "Nasha Alyssa" as the registrant, and there is no evidence in the record indicating that the Respondent was authorized to use the mark. Therefore, the Panel finds that the Respondent is not commonly known by the disputed domain name under Policy Paragraph 4(c)(ii).

The Complainant further asserts that the Respondent is not engaged in any bona fide offering of goods or services, nor any legitimate noncommercial or fair use of the disputed domain name. Rather, the disputed domain name resolves to a website that is blocked by standard antivirus software, because it either redirects to or incorporates content from a known malware distribution system.

The Panel observes that when a disputed domain name is used for malicious purposes, such as distributing malware, it does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use under Policy Paragraphs 4(c)(i) or (iii). See Coachella Music Festival, LLC v. Carolina Rodrigues / Fundacion Comercio Electronico, FA 1785199 (Forum June 5, 2018) ("Respondent uses the <coechella.com> domain name to direct internet users to a website which is used to attempt to install malware on visiting devices. Using the domain name in this manner is neither a bona fide offering of goods or services under Policy Paragraph 4(c)(i), nor a non-commercial or fair use under Policy Paragraph 4(c)(iii).").

The Panel notes from the screenshot of the disputed domain name’s resolving website stating, “Whew! We've just saved you from an infected website.” The Panel finds that it is highly likely that the disputed domain name is used for malicious purposes, such as distributing malware and/or facilitating a fraudulent phishing scheme to collect sensitive information from Internet users, in light of the blocking of access to the webpage resolved by the disputed domain name. Using the domain name in this manner is neither a bona fide offering of goods or services under Policy Paragraph 4(c)(i), nor a non-commercial or fair use under Policy Paragraph 4(c)(iii). Therefore, the Panel concludes that the Respondent fails to use the disputed domain name for a bona fide offering of goods or services or a legitimate noncommercial or fair use under Policy Paragraphs 4(c)(i) or (iii).

The Panel finds that the Complainant has made out a prima facie case that arises from the considerations above. All of these matters establish the prima facie case against the Respondent. As the Respondent has not filed a response or attempted by any other means to rebut the prima facie case, the Panel finds that the Respondent has no rights or legitimate interests in the disputed domain name.

Bad faith

Paragraph 4(b) of the Policy provides a non-exclusive list of circumstances that evidence registration and use of a domain name in bad faith. Any one of the following is sufficient to support a finding of bad faith:

(i) circumstances indicating that the respondent has registered or 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 the complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or

(ii) the respondent has 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 the respondent has engaged in a pattern of such conduct; or

(iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

The Complainant asserts that the considerations here under "legitimate rights" and bad faith overlap, as the apparent malicious activity being conducted via the domain name is, perforce, bad faith use of the domain name. Having registered the domain name well after the establishment of the Complainant's reputation, and then using a domain name likely to be confused with the Complainant's mark for malicious purposes, is quintessential bad faith registration and use.

The Panel observes that where a domain name is used for malicious purposes such as malware distribution, panels have consistently found bad faith under Policy Paragraph 4(a)(iii). See Asbury Communities, Inc. v. Tiffany Hedges, FA 1785054 (Forum June 18, 2018) ("The Panel here finds that Respondent [installation of malware] further supports the conclusion that Respondent registered and used the <asburymethodistvillage.com> domain name in bad faith under Policy Paragraph 4(a)(iii)").

As previously noted, it is highly likely that the disputed domain name is used for malicious purposes, such as distributing malware and/or facilitating a fraudulent phishing scheme to collect sensitive information from internet users, in light of the blocking of access to the webpage resolved by the disputed domain name. The Panel further notes that the disputed domain name was registered in 2023, long after the establishment of the Complainant's global reputation as reflected in its numerous accolades and awards, and certainly long after the establishment of the Complainant's trademark or service mark rights. Given the total circumstances as discussed above, the Panel concludes that the Respondent's conduct disrupts the Complainant's business and constitutes bad faith registration and use of the disputed domain name under Policy Paragraph 4(b)(iii).

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **atwentyfour.com**: Transferred

PANELLISTS

Name	**Mr. Ho-Hyun Nahm Esq.**

DATE OF PANEL DECISION 2026-04-01

Publish the Decision