

Nathan Smith Quoted by *World IP Review* on *KPopDemonHunters.com* Domain Name

January 30, 2026

London Intellectual Property Partner Nathan Smith was quoted in an article by the *World Intellectual Property Review* (WIPR) about Netflix's successful complaint, under the Uniform Domain Name Dispute Resolution Policy (UDRP) with the World Intellectual Property Organization (WIPO), regarding the *KPopDemonHunters.com* domain name, which was registered by a private individual in Germany three days after the movie premiered.

A WIPO panel ordered the transfer of the domain name to Netflix after finding the domain was used in bad faith and that Netflix had established common law rights in the mark, while also crediting the film's rapid fame within days rather than years. Nathan Smith called the decision "significant" for entertainment intellectual property (IP) owners, stating, "In ordering its transfer to Netflix, the panel accepted that the title had already acquired sufficient source-identifying character within those three days." He added that the WIPO's order "reflects an understanding that, in today's content landscape, distinctiveness and goodwill can emerge almost instantaneously on a global scale."

The ruling highlights that common law rights can arise swiftly without prior registration and that passive holding of a domain, timed to exploit immediate notoriety, can evidence bad faith under the UDRP, especially where the registrant is nonresponsive and the mark is highly distinctive. The case, Nathan suggested, shows that panels such as the WIPO's seem "increasingly prepared to accept viral exposure and global streaming metrics" as evidence of use and recognition, which "aligns with today's commercial realities where audience awareness can be created almost instantly."

Nathan went on to explain that the decision highlights the UDRP's flexible approach in addressing domain name registrations that appear "calculated" to take advantage of pre-launch buzz. "By focusing on whether the name functioned as a source identifier at the time of its launch, the panel was able to address conduct that might otherwise evade scrutiny—it would not be surprising to see this approach applied more frequently," he said.

The article noted that "extreme distinctiveness of the mark helped as well," and Nathan agreed, saying, "Coined or non-descriptive entertainment titles are more likely to be immediately associated with a single source, which in turn strengthens inferences of bad faith on the part of the respondent." He emphasized that this effect is "heightened" when the disputed domain name is passively held, the registrant is non-responsive or has no plausible fair-use explanation, and they have chosen to mask their identity through the use of privacy proxy services. For Nathan, the decision sends a clear message for the streaming era: "Where a title achieves immediate recognition, the UDRP can provide a swift and effective remedy against opportunistic domain registrations, even before a formal trademark registration is secured."

"[Gonna be golden: KPop Demon Hunters slays the IP rulebook](#)," *World Intellectual Property Review*, January 26, 2026

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