



DECISION

Lena Meadowcroft v. Tatiana Zagorovski

Claim Number: FA2511002188998

PARTIES

Complainant is **Lena Meadowcroft** ("Complainant"), represented by **Lena Meadowcroft**, Florida, USA. Respondent is **Tatiana Zagorovski** ("Respondent"), Missouri, USA.

REGISTRAR AND DISPUTED DOMAIN NAME

The domain name at issue is <lenameadowcroft.com>, registered with **NameCheap, Inc.**

PANEL

The undersigned certifies that he has acted independently and impartially and to the best of his knowledge has no known conflict in serving as Panelist in this proceeding.

James Bridgeman SC as Panelist.

PROCEDURAL HISTORY

Complainant submitted a Complaint to FORUM electronically on November 14, 2025; FORUM received payment on November 14, 2025.

On November 18, 2025, NameCheap, Inc. confirmed by e-mail to FORUM that the <lenameadowcroft.com> domain name is registered with NameCheap, Inc. and that Respondent is the current registrant of the name. NameCheap, Inc. has verified that Respondent is bound by the NameCheap, Inc. registration agreement and has thereby agreed to resolve domain disputes brought by third parties in accordance with ICANN's Uniform Domain Name Dispute Resolution Policy (the "Policy").

On November 20, 2025, FORUM served the Complaint and all Annexes, including a Written Notice of the Complaint, setting a deadline of December 15, 2025 by which Respondent could file a Response to the Complaint, via e-mail to all entities and persons listed on Respondent's registration as technical, administrative, and billing contacts, and to postmaster@lenameadowcroft.com. Also on November 20, 2025, the Written Notice of the Complaint, notifying Respondent of the e-mail addresses served and the deadline for a Response, was transmitted to Respondent via post and fax, to all entities and persons listed on Respondent's registration as technical, administrative and billing contacts.

A timely Response was received and determined to be complete on December 14, 2025.

On December 16, 2025 pursuant to Complainant's request to have the dispute decided by a single-member Panel, FORUM appointed James Bridgeman SC as Panelist.

Having reviewed the communications records, the Administrative Panel (the "Panel") finds that FORUM has discharged its responsibility under Paragraph 2(a) of the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules") "to employ reasonably available means calculated to achieve actual notice to Respondent" through submission of Electronic and Written Notices, as defined in Rule 1 and Rule 2.

RELIEF SOUGHT

Complainant requests that the disputed domain name be transferred from Respondent to Complainant.

PARTIES' CONTENTIONS

A. Complainant

Complainant claims rights in the LENA MEADOWCROFT mark based on her ownership of the pending trademark application described below and

asserts that she uses this mark extensively in real estate investment, business consulting, coaching, public speaking, ministry, and nonprofit services.

By way of background, Complainant submits that the LENA MEADOWCROFT mark is well-established and recognized through social media, branding, websites, and public engagements. She adds that she has significant public visibility, with over 6,000 followers online and more than 1,000 followers within real estate networks.

Complainant submits that her Complaint relates to clear and deliberate cybersquatting by Respondent; and that Respondent is publishing defamatory and harassing content, including private information and references to a dismissed legal matter, in order to target and damage Complainant's professional and personal reputation.

Complainant further submits that multiple U.S.-based hosting providers removed Respondent's website for abusive conduct; and that Respondent subsequently moved the site to offshore hosting to evade enforcement and continue the malicious activity.

It is contended that this pattern of conduct demonstrates intentional targeting of Complainant's identity, willful infringement of her trademark

rights, and ongoing efforts to prevent Complainant from using her own name as a domain.

In support of her application, Complainant firstly alleges that the disputed domain name <lenameadowcroft.com> is identical to the LENA MEADOWCROFT mark which Complainant consistently refers to as "Complainant's registered trademark". (However the Panel notes that Complainant has only provided evidence that she is the owner of a pending trademark application and has not provided any evidence of ownership of a registered trademark, as she claims. This is discussed below.)

Complainant further argues that the disputed domain name wholly incorporates the LENA MEADOWCROFT mark with no alteration, and the generic Top-Level Domain ("gTLD") extension <.com> does not affect the analysis of confusing similarity.

It is further submitted that Respondent's use of the exact trademark ensures that Internet users will mistakenly believe the disputed domain name is owned, operated, or endorsed by Complainant.

Complainant secondly alleges that Respondent has no rights or legitimate interests in the disputed domain name, arguing that Respondent;

- is not commonly known by the disputed domain name;
- is not affiliated with Complainant;
- has never been authorized to use Complainant's trademark, and
- is using the disputed domain name for harmful and unlawful purposes.

Complainant adds that Respondent is publishing defamatory and slanderous material, including private personal information and references to a dismissed court case, in order to damage Complainant's reputation and interrupt her business activities. Complainant contends that this conduct is not a *bona fide* offering of goods or services, nor a legitimate noncommercial or fair use.

It is further argued that fact that multiple United States hosting providers removed Respondent's content for violations further confirms the absence of any legitimate interest; and that Respondent subsequently secured offshore hosting to continue the harmful conduct, demonstrating malicious intent rather than any valid purpose.

Thirdly, Complainant alleges that the disputed domain name was registered and is being used in bad faith, arguing that Respondent's registration and use of the disputed domain name demonstrate bad faith

under multiple provisions of Policy ¶ 4(b), and the overall conduct constitutes clear cybersquatting, including:

- targeting Complainant's exact trademark and identity;
- registering the exact full name of a known individual with a registered trademark shows intentional targeting, not coincidence;
- intentional harm and disruption of Complainant's business (Policy ¶ 4(b)(iii)).

It is submitted that the evidence annexed to the Complaint shows that Respondent uses the disputed domain name to publish defamatory statements, private information, and misleading content intended to disrupt Complainant's real estate, consulting, and ministry activities.

Complainant adds that Respondent registered Complainant's exact trademarked name to block Complainant from controlling her own brand online.

Complainant further argues that Respondent employed an Iceland-based privacy service and moved the website to offshore hosting after multiple takedowns, indicating intentional concealment and malicious continuation of abuse.

Additionally, Complainant argues that Respondent's conduct indicates an intent to interfere with Complainant's rights and potentially leverage the disputed domain name against her.

Complainant further alleges that the disputed domain name is being used for harassment and reputational damage, and argues that publishing defamatory content, dismissed legal case material, and personal information is a hallmark of cybersquatting cases involving harassment.

In conclusion, Complainant argues that Respondent is engaged in a pattern of abusive registration and hosting evasion, and submits that the repeated removal of the disputed domain name by reputable hosting providers for policy violations shows Respondent's knowledge of wrongdoing and constitutes strong evidence of bad faith.

Taken together, it is argued, these facts establish that Respondent registered the disputed domain name in bad faith, uses it in bad faith, and engages in conduct consistent with long-recognized forms of cybersquatting, harassment, and malicious targeting under UDRP jurisprudence.

In support of her claims, in an annex to the Complaint: Complainant has exhibited a number of screen captures of the website to which the disputed domain name resolved on November 14, 2025.

Complainant argues that the exhibited screen captures show that Respondent published statements that inter alia alleging that Respondent initiated arbitration proceedings under the terms of an original joint venture business in which the arbitrator ruled against Complainant, that Complainant refused to respond; and has made serious allegations about Complainant's behavior and character on the website.

The exhibited documents are:

- An Order of The Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida Civil Division, made in the matter of TRIO REALTY PARTNERS, INC., Petitioner, v. MERCY VENTURE, INC., Respondent. (Case No.: 24-CA-003726) in which inter alia the petitioner's motion to confirm arbitration award was denied without prejudice, with liberty to file an amended petition on or before May 22, 2025.
- An email message dated June 26, 2025, with a subject line: "Help finding the correct contact". The email was sent from Patmos <joesdatacenter.com> to Complainant advising Complainant that

Patmos is the hosting provider, not the domain registrar, and as such does not have control over domain registration or ownership. Complainant was advised that the registrar for the disputed domain name is Namecheap, and any domain-level disputes—including those involving impersonation, cybersquatting, or transfer requests—should be directed to them.

- An email message dated July 7, 2025 at 11:25 a.m. with the subject line “Urgent Takedown Request for Domain: lenameadowcroft.com – Cybersquatting, Defamation, and Harassment Under U.S. Investigation” from Complainant to <info@mserwis.pl> regarding the website <www.lenameadowcroft.com> alleging that the website is being operated by Respondent to engage in a sustained and malicious campaign of online defamation, impersonation, and cyberharassment against Complainant. It adds that “The registration and use of www.lenameadowcroft.com constitutes cybersquatting under the Anti-Cybersquatting Consumer Protection Act (ACPA, 15 U.S.C. §1125(d)), and the continued publication of knowingly false and harmful accusations is being investigated by U.S. authorities. A formal complaint has been filed with the FBI’s Internet Crime Complaint Center (IC3) and a UDRP proceeding is being prepared to recover the domain.”

- An email message dated July 23, 2025 at 11:26 a.m. with the subject line “Cloudflare has responded to your DMCA Copyright Infringement complaint” from Cloudflare Trust & Safety stating *inter alia* that Complainant’s report regarding <www.lenamedowcroft.com> had been forwarded to the Hosting Provider: Shinjiru Technology Sdn Bhd<abuse@shinjiru.com.my>.
- An email message also dated July 23 2025 at 11:52 a.m. “Urgent Takedown Request for Domain: lenameadowcroft.com – Cybersquatting, Defamation, and Harassment Under U.S. Investigation” from Complainant to the Hosting Provider: Shinjiru Technology Sdn Bhd<abuse@shinjiru.com.my> alleging that the website at <www.lenamedowcroft.com> is operated by Respondent who has engaged in a sustained and malicious campaign of online defamation, impersonation, and cyberharassment against Complainant ; requesting *inter alia* that the hosting provider “[i]mmediately suspend or disable hosting services for the disputed domain name “due to malicious abuse”.

B. Respondent

In Response, Respondent submits that Complaint fails to meet the required elements under UDRP ¶ 4(a), for three independent reasons:

1. Complainant does not hold any enforceable trademark rights in “Lena Meadowcroft”;
2. Respondent has legitimate, noncommercial rights and interests in using the domain for criticism and consumer commentary; and
3. Respondent did not register or use the domain in bad faith, and the domain is clearly not used to impersonate Complainant or capitalize on confusion.

Respondent argues that Complainant falsely claims to have a federally registered trademark, whereas in fact, she merely has a pending application—filed after Respondent registered the domain name.

Respondent submits that a pending application confers no rights under the Policy.

Moreover, Respondent argues that Complainant cannot attempt to bootstrap a claim to the disputed domain name by filing an application for a trademark after Respondent has already registered the disputed domain name.

Because Complainant has not established trademark rights, the Complaint must fail on this basis alone.

Respondent asserts that she has rights and legitimate interests in the disputed domain name because:

- the website to which the disputed domain name resolves contains critical commentary and factual materials relating to Respondent's own interactions with Complainant;
- the website is noncommercial, does not advertise or sell any goods or services, nor does it purport to be Complainant's official website, or in any way lead to confusion.

Respondent argues that even if Complainant had trademark rights—which she does not—Respondent has strong legitimate interests. For instance, Panels have recognized that noncommercial criticism websites constitute a legitimate interest, particularly when the website to which a domain name at issue resolves:

- does not sell anything;
- clearly expresses critical views, and
- does not attempt to impersonate the complainant.

Respondent argues that her registration and use of the disputed domain name fit squarely within that precedent.

Moreover, it is argued that the content on the website to which the disputed domain name resolves, is written entirely as commentary about

Complainant, not as a site owned or operated by her. There is no attempt to confuse users. Respondent's use is classic legitimate noncommercial fair use, and thus Complainant cannot satisfy the second prong.

Complainant further denies that the disputed domain name was registered and is being used in bad faith, arguing Respondent did not register the domain name to sell it or extort Complainant, and there has never been:

- any offer to sell the domain,
- any solicitation of payment,
- any commercial exploitation;
- any suggestion of affiliation.

The domain was registered for truthful commentary, not deception. Complainant argues the domain causes confusion. It does not. The content clearly identifies itself as criticism and contains no Panels have rejected bad-faith claims where:

- the domain name at issue hosts a website devoted to criticism;
- the respondent does not pretend to be the complainant; and
- there is no commercial benefit.

Respondent further argues that Complainant's allegation that the court case against her was dismissed. Respondent asserts that her case has not been dismissed.

In conclusion, Complainant submits that the Policy is not a mechanism for suppressing criticism, nor is it designed to adjudicate defamation claims.

Respondent asserts that she registered the disputed domain name in good faith to share her personal experience, and uses it for legitimate noncommercial commentary. As a result, Complainant fails to meet the third required element.

FINDINGS

Complainant is the owner of the following service mark application:

- United States registered service mark application LENA MEADOWCROFT, application number 99264483, filed on July 2, 2025

The disputed domain name <lenameadowcroft.com> was registered on April 9, 2025 and resolves to a website owned by Respondent devoted to criticism of Complainant.

DISCUSSION

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted and 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 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.

Identical and/or Confusingly Similar

Complainant claims registered service mark rights in her pending application for registration of the disputed domain name which was filed on April 9, 2025, and at common law based on her extensive use of the mark in real estate investment, business consulting, coaching, public speaking, ministry, and nonprofit services.

Complainant asserts that her mark is well-established and recognized through social media, branding, websites, and public engagements. Complainant submits that she has significant public visibility, with over 6,000 followers online and more than 1,000 followers within real estate networks.

The evidence which Complainant has produced shows that she does not have a registered trademark, but merely a pending application for registration of the LENA MEADOWCROFT mark, which does not create rights in the mark for the purposes of the Policy.

While Complainant claims that she holds rights at common law in her LENA MEADOWCROFT mark, she has not submitted any evidence of such use.

It is common case that Respondent hosts a website at the address to which the disputed domain name resolves.

The article refers to Respondent in the third party and describes Respondent as a “well-known and respected real estate investor”, and proceeds to state that Respondent was defrauded out of \$120,298.53 by Complainant.

The article describes that the Parties teamed up in February 2022 with a plan “to acquire, renovate, and flip a property together.” The plan changed, and they decided to initially hold on to the property and rent it out on a short-term basis.

Subsequently the property was sold in April 2023, but Respondent alleges that Complainant did not pay Respondent her share, which was valued at \$120,298.53.

The difficulty for Complainant is that neither her own submissions, nor the evidence that she has adduced establish that Complainant has any commercial goodwill or any trademark rights in her own name LENA MEADOWCROFT.

The court order made on May 22, 2025 which is exhibited in the annex to the Complaint describes the proceedings as between Trio Realty Partners, Inc., Petitioner, v. Mercy Venture, Inc., Respondent. It does not mention Complainant by name. It relates to an arbitration and an arbitration must be based on an agreement between parties.

It follows that on the balance of probabilities Complainant was not a party to the court application or the agreement on which it was based.

Furthermore, this finding is consistent with the narrative in the abovementioned article that Respondent published on the website to which the disputed domain name resolves, is that the Parties intended to enter into a joint venture to purchase a property, but when a dispute arose the matter was referred to arbitration. It would appear that the property was held in the name of either Trio Realty Partners, Inc. or Mercy Venture, Inc.

The exact circumstances surrounding the joint venture and the vehicles adopted by the Parties to execute their plans are not clear from the submissions.

However, the important matter relevant to this Complaint is that there is no evidence that Complainant has carried on any investment business or any other business in her own name, and therefore her claim to have common law trademark rights in her own name must fail.

To summarize therefore, for clarity, noting that both of the Parties are self-represented in this Complaint:

- the pending application for registration of the name LENA MEADOWCROFT as a trademark does not confer any registered trademark rights. An application for registration of a trademark

does not confer any registered rights until the registration takes place; also

- notwithstanding Complainant's assertions that her LENA MEADOWCROFT mark is well-established and recognized through social media, branding, websites, and public engagements, she has not produced any evidence that she has built up a goodwill and reputation carrying on business in her own name.

Complaints under the Policy are strictly limited to protecting trademark owners from abusive registrations of domain names, and there may be other forums to which Complainant can bring her complaint.

However, because Complainant has not proven that she has either registered or common law trademark rights in LENA MEADOWCRAFT, the Panel cannot proceed to consider whether Respondent has rights or legitimate interests in the disputed domain name or whether the disputed domain name was registered and is being used in bad faith.

This Panel finds therefor that Complainant has failed to establish the first element of the test in the first element of the test in Policy ¶ 4(a)(i).

Rights or Legitimate Interests

As Complainant has failed to establish the first element of the test in the first element of the test in Policy ¶ 4(a)(i), it is not appropriate to consider the issues in Policy ¶ 4(a)(ii).

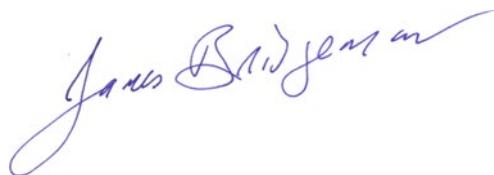
Registration and Use in Bad Faith

As Complainant has failed to establish the first element of the test in the first element of the test in Policy ¶ 4(a)(i), it is not appropriate to consider the issues in Policy ¶ 4(a)(iii).

DECISION

Having established all three elements required under the ICANN Policy, the Panel concludes that relief shall be **DENIED**.

Accordingly, it is Ordered that the <lenameadowcroft.com> domain name **REMAIN WITH** Respondent.



James Bridgeman SC

Panelist

Dated: December 19, 2025