

## **COMPLAINT TRANSMITTAL COVERSHEET**

Attached is a Complaint that has been filed against you with the World Intellectual Property Organization (**WIPO**) Arbitration and Mediation Center (the **Center**) pursuant to the Uniform Domain Name Dispute Resolution Policy (the **Policy**) approved by the Internet Corporation for Assigned Names and Numbers (**ICANN**) on October 24, 1999, the Rules for Uniform Domain Name Dispute Resolution Policy (the **Rules**) approved by ICANN on September 28, 2013, and in effect as of July 31, 2015, and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the **Supplemental Rules**) in effect as of July 31, 2015.

The Policy is incorporated by reference into your Registration Agreement with the Registrar(s) of your domain name(s), in accordance with which you are required to submit to a mandatory administrative proceeding in the event that a third party (a **Complainant**) submits a complaint to a dispute resolution service provider, such as the Center, concerning a domain name that you have registered. You will find the name and contact details of the Complainant, as well as the domain name(s) that is/are the subject of the Complaint in the document that accompanies this Coversheet.

Once the Center has checked the Complaint to determine that it satisfies the formal requirements of the Policy, the Rules and the Supplemental Rules, it will forward an official copy of the Complaint, including annexes, to you by email as well as sending you hardcopy Written Notice by post and/or facsimile, as the case may be. You will then have 20 calendar days from the date of Commencement within which to submit a Response to the Complaint in accordance with the Rules and Supplemental Rules to the Center and the Complainant. You may represent yourself or seek the assistance of legal counsel to represent you in the administrative proceeding.

- The **Policy** can be found at  
<https://www.icann.org/resources/pages/policy-2012-02-25-en>
- The **Rules** can be found at  
<https://www.icann.org/resources/pages/udrp-rules-2015-03-11-en>
- The **Supplemental Rules**, as well as other information concerning the resolution of domain name disputes can be found at  
<http://www.wipo.int/amc/en/domains/supplemental/eudrp/newrules.html>
- A **model Response** can be found at  
<http://www.wipo.int/amc/en/domains/respondent/index.html>

Alternatively, you may contact the Center to obtain any of the above documents. The Center can be contacted in Geneva, Switzerland by telephone at +41 22 338 8247, by fax at +41 22 740 3700 or by email at [domain.disputes@wipo.int](mailto:domain.disputes@wipo.int).

You are kindly requested to contact the Center to provide an alternate email address to which you would like (a) the Complaint, including Annexes and (b) other communications in the administrative proceeding to be sent.

A copy of this Complaint has also been sent to the Registrar(s) with which the domain name(s) that is/are the subject of the Complaint is/are registered.

By submitting this Complaint to the Center the Complainant hereby agrees to abide and be bound by the provisions of the Policy, Rules and Supplemental Rules.

*Before the:*

**WORLD INTELLECTUAL PROPERTY ORGANIZATION  
ARBITRATION AND MEDIATION CENTER**

*Law Offices of Jeffrey J. Antonelli,  
Ltd., Inc. dba Antonelli Law, Ltd., a  
Illinois Corporation*  
35 E. Wacker Dr., Ste. 1875,  
Chicago, Illinois 60601

**(Complainant)**

-v-

*The Law Offices of Steven C.  
Vondran, P.C., a California  
Corporation*  
1 Sansome St., Ste. 3500  
San Francisco, California 94104

**(Respondent)**

**Disputed Domain Name(s):**

*[www.torrentdefenders.com](http://www.torrentdefenders.com)*

**COMPLAINT**

(Rules, Paragraph 3(b); Supplemental Rules, Paragraphs 4(a), 12(a), Annex E)

**I. Introduction**

[1.] This Complaint is hereby submitted for decision in accordance with the Uniform Domain Name Dispute Resolution Policy (the **Policy**), approved by the Internet Corporation for Assigned Names and Numbers (**ICANN**) on October 24, 1999, the Rules for Uniform Domain Name Dispute Resolution Policy (the **Rules**), approved by ICANN on September 28, 2013, and in effect as of July 31, 2015, and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the **Supplemental Rules**) in effect as of July 31, 2015.

**II. The Parties**

**A. The Complainant**

(Rules, Paragraphs 3(b)(ii) and (iii))

[2.] The Complainant in this administrative proceeding is Law Offices of Jeffrey J. Antonelli, Ltd., Inc. dba Antonelli Law, Ltd., an Illinois Corporation.

[3.] The Complainant's contact details are:

Address: 35 E. Wacker Dr., Ste. 1875, Chicago, Illinois, 60601  
Telephone: 312-201-8310  
Fax: N/A  
Email: jeffrey@antonelli-law.com

[4.] The Complainant's authorized representative in this administrative proceeding is:

**Attorney: Tristan C. Robinson**  
Weaver Robinson Law Firm, PLLC  
1112 E. Copeland Rd., Ste. 130  
Arlington, Texas 76011.  
817-460-5900 – Office  
817-560-5908 – Facsimile  
tcrobinson@arlingtonlawfirm.com

[5.] The Complainant's preferred method of communications directed to the Complainant in this administrative proceeding is:

Electronic-only material

Method: email  
Address: tcrobinson@arlingtonlawfirm.com  
Contact: Tristan C. Robinson

Material including hardcopy (where applicable)

Method: Post/courier  
Address: 1112 E. Copeland Rd., Ste. 130, Arlington, TX 76011  
Fax: 817-460-5908  
Contact: Weaver Robinson Law Firm, PLLC / **ATTN:** Tristan C. Robinson

**B. The Respondent**

- [6.] According to the concerned registrar's WhoIs database, the Respondent in this administrative proceeding is The Law Offices of Stephen C. Vondran, P.C., a California Corporation with a principal place of business at 1 Sansome St., Ste. 3500, San Francisco, CA 94104. Copies of the printout of the database search(es) conducted on June 30, 2021 are provided as Annex 1.
- [7.] All information known to the Complainant regarding how to contact the Respondent is as follows:

**Primary E-mail:**      steve@vondranlegal.com

**Primary Telephone:** 877-276-5084

**Primary Address:**    One Sansome Street, Suite 3500  
San Francisco, CA 94104  
(415) 830-9636

***Other Office Locations Where Respondent May Be Reached:***

**Orange County – New Port Beach Office**

620 Newport Center Drive, Suite 1100  
Newport Beach, CA 92660  
(949) 298-6732

**Santa Monica Office**

401 Wilshire Blvd, 12th Floor  
Santa Monica, CA 90401  
(424) 258-3279

**Phoenix-Camelback Office**

2415 E. Camelback Road, Suite 700  
Phoenix, AZ 85016  
(602) 842-9511

**San Diego Office**

8880 Rio San Diego Drive Rio Vista Tower, 8th Floor  
San Diego, CA 92108  
(858) 240-4997

**Washington D.C. – Copyright Policy Institute**

601 13th Street NW, Suite 900  
Washington, DC 20005  
(202) 602-6909

**Phoenix Uptown Office**

7878 N 16th St, Suite #6  
Phoenix, AZ 85020  
(602) 842-9511

**III. The Domain Name(s) and Registrar(s)**  
(Rules, Paragraphs 3(b)(vi), (vii))

- [8.] This dispute concerns the domain name(s) identified below:  
[www.torrentdefenders.com](http://www.torrentdefenders.com) (created August 23, 2016 at 21:27:42 UTC according to the registrar details enclosed in Annex 1).

- [9.] The registrar(s) with which the domain name(s) is/are registered is/are:

**Name:** GoDaddy.com, LLC

**Abuse contact email:** [abuse@godaddy.com](mailto:abuse@godaddy.com)

**Abuse contact phone:** 480-624-2505

**UDRP Disputes email:** [UDRPdisputes@godaddy.com](mailto:UDRPdisputes@godaddy.com)

**Legal email:** [legal@godaddy.com](mailto:legal@godaddy.com)

**IV. Language of Proceedings**  
(Rules, Paragraph 11)

- [10.] To the best of the Complainant's knowledge, the language of the Registration Agreement is English, a copy of which is provided as Annex 2 to this Complaint. The Complaint has been submitted in English and the Complainant requests that the language of the proceedings also be in English. There are anticipated to be no objections from Respondent as to these proceedings commencing in English, as Respondent's business offers legal services in the English language, advertises those

services in the English language, and Respondent's principal and/or owner, Steven C. Vondran, is presumed to be most comfortable with these proceedings commencing in English. In support whereof, attached as Annex 3 and incorporated herein by reference is a print-out of the website of Respondent.

**V. Jurisdictional Basis for the Administrative Proceeding**  
(Rules, Paragraphs 3(a), 3(b)(xiv))

[11.] This dispute is properly within the scope of the Policy and the Administrative Panel has jurisdiction to decide the dispute. The registration agreement, previously provided as Annex 2 [Clause(s) 16, "Trademark and/or Copyright Claims" and 22, "Disputes, Binding Individual Arbitration and Waiver of Class Actions and Class Arbitrations"], pursuant to which the domain name(s) that is/are the subject of this Complaint is/are registered, incorporates the Policy. A true and correct copy of the domain name dispute policy that applies to the domain name(s) in question is provided as Annex 2 to this Complaint and can also be found at <https://www.godaddy.com/agreements/showdoc?pageid=5403> (incorporating: <https://www.godaddy.com/legal/agreements/trademark-copyright-infringement> and <https://www.godaddy.com/legal/agreements/domain-name-dispute-resolution-policy>)

**VI. Factual and Legal Grounds**  
(Policy, Paragraphs 4(a), (b), (c); Rules, Paragraph 3)

[12.] This Complaint is based on the following grounds:

**A. The domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;**

(Policy, Paragraph 4(a)(i); Rules, Paragraphs 3(b)(viii), (b)(ix)(1))

- Complainant is the rightsholder of the word mark "TORRENT DEFENDERS" pursuant to United States Patent and Trademark Office Registration No. 5,720,579, a true and correct copy of which is attached hereto as Annex 4.
- The protected classes of goods or services under the mark are: CLASS 41: On-line journals, namely, blogs featuring articles on BitTorrent Copyright Infringement cases; and, CLASS 45: Providing information about legal services via a website. *See*, Annex 4.
- Complainant owns and operates the domain: [www.torrent-defenders.com](http://www.torrent-defenders.com), which it uses in conformity with its Class 41 and 45 claims to serve as its blog,

feature articles on BitTorrent Copyright Infringement cases, advertise, and provide information about such legal services. Annex 5 hereto is a true and correct printout of the torrent-defenders domain as of June 30, 2021.

- Respondent's domain, the subject of this dispute, merely omits the '-' between the words, "torrent" and "defenders" and redirects to the following URL: <https://www.vondranlegal.com/bittorrent-defense-lawyer/>. The content housed on this redirected URL constitutes goods and/or services which are **identical** in nature to those provided by Complainant. Annex 6 hereto is a true and correct printout of the URL as of June 30, 2021, to which the disputed domain redirects.
- Complainant has worked for several years to create a library of helpful, timely and educational content to help costumers understand their case(s).
- Complainant's torrent-defenders.com website funnels visitors from search engine results (SERPs) to Antonelli Law for more details. This funnel and the link to Antonelli Law is part of Antonelli Law's SEO strategy.
- Respondent's use of such a similar domain name could easily cause confusion should a visitor try to track down a specific article or information, funneling that visitor to a different attorney.



**B. The Respondent has no rights or legitimate interests in respect of the domain name(s):**

(Policy, Paragraph 4(a)(ii); Rules, Paragraph 3(b)(ix)(2))

- Respondent has no rights nor legitimate interests in respect of the disputed domain.
- A TESS search conducted June 30, 2021, with the United States Patent and Trademark Office reveals that the only registration for “Torrent Defenders” belongs to Complainant. A true and correct copy of such report is attached hereto and incorporated by reference as Annex 7.
- Complainant also has priority rights in the mark TORRENT DEFENDERS®, having labored unremittingly to develop this brand and its good will since at least October 31, 2012. *See*, Annex 4.
- Respondent’s registration of the disputed domain began in 2016, therefore any “use” that may be alleged by Respondent of the disputed domain is predated by Complainant’s use. *See*, Annex 1.
- Respondent has never been known to use the TORRENT DEFENDERS® mark and has made no genuine effort to develop such a brand. Instead, **Respondent merely uses [www.torrentdefenders.com](http://www.torrentdefenders.com) to redirect to his separate domain (which offers confusingly similar goods or services to those appearing on the [www.torrent-defenders.com](http://www.torrent-defenders.com) website).** *See*, Annex 6.
- Respondent’s aim for the disputed domain is clearly commercial, specifically, in that it reroutes or confuses consumers that may be seeking Complainant’s services to select Respondent’s identical services instead.

**C. The domain name(s) was/were registered and is/are being used in bad faith.**

(Policy, paragraphs 4(a)(iii), 4(b); Rules, paragraph 3(b)(ix)(3))

- The disputed domain in this instance has been registered in and/or is being used in bad faith by Respondent because it seeks to intentionally divert Internet users from Complainant’s legitimate website, styled [www.torrent-defenders.com](http://www.torrent-defenders.com), where they may have otherwise been convinced to retain Respondent’s competitor, via [www.torrentdefenders.com](http://www.torrentdefenders.com), to Respondent instead.
- Respondent is merely re-directing to another domain name with no bona fide intent to establish a brand in the domain.
- The parties are direct competitors for BitTorrent Copyright Infringement cases and Respondent is therefore seeking to obtain a competitive edge by unlawfully using Complainant’s registered trademark.

- On information and belief, Respondent is perfectly aware of Complainant's brand and Complainant's advertising efforts and only registered the domain well after Complainant established itself in the market. *See*, Annex(es) 1 and 4.
- On information and belief, Respondent is aware of Complainant's SEO rankings and seeks to piggyback on the results of Complainant's preexisting advertising efforts to develop such rankings.
- Respondent seeks to disrupt or otherwise confuse Complainant's legitimate business enterprise.
- On information and belief, Respondent offers Trademark services, is wholly aware of Trademark law, the UDRP, and is nevertheless using the torrentdefenders.com website in violation thereof.

**VII. Remedies Requested**  
(Rules, Paragraph 3(b)(x))

- [13.] In accordance with Paragraph 4(i) of the Policy, for the reasons described in Section VI. above, the Complainant requests the Administrative Panel appointed in this administrative proceeding that [www.torrentdefenders.com](http://www.torrentdefenders.com) be transferred to the Complainant.

**VIII. Administrative Panel**  
(Rules, Paragraph 3(b)(iv); Supplemental Rules, Paragraph 8(a))

- [14.] The Complainant elects to have the dispute decided by a single-member Administrative Panel.

**IX. Mutual Jurisdiction**  
(Rules, Paragraph 3(b)(xii))

- [15.] In accordance with Paragraph 3(b)(xii) of the Rules, the Complainant will submit, with respect to any challenges that may be made by the Respondent to a decision by the Administrative Panel to transfer or cancel the domain name(s) that is/are the subject of this Complaint, to the jurisdiction of the courts at the location of the principal office of the concerned registrar.

**X. Other Legal Proceedings**  
(Rules, Paragraph 3(b)(xi))

- [16.] No other legal proceedings respecting this issue have been commenced.

### **XI. Communications**

(Rules Paragraph 3(b), Supplemental Rules, Paragraphs 3, 4, 12)

- [17.] This Complaint has been submitted to the Center in electronic form, including annexes, in the appropriate format.
- [18.] A copy of this Complaint has been transmitted to the concerned registrar(s) on July 26, 2021 in electronic form in accordance with paragraph 4(c) of the Supplemental Rules.

### **XII. Payment**

(Rules, Paragraph 19; Supplemental Rules Paragraph 10, Annex D)

- [19.] As required by the Rules and Supplemental Rules, payment in the amount of USD \$1500.00 has been made by the Center's secure online payment facility.

### **XIII. Certification**

(Rules, Paragraph 3(b)(xiii); Supplemental Rules, Paragraph 15)

- [20.] The Complainant agrees that its claims and remedies concerning the registration of the domain name(s), the dispute, or the dispute's resolution shall be solely against the domain name holder and waives all such claims and remedies against (a) the WIPO Arbitration and Mediation Center and Panelists, except in the case of deliberate wrongdoing, (b) the concerned registrar(s), (c) the registry administrator, (d) the Internet Corporation for Assigned Names and Numbers, as well as their directors, officers, employees, and agents.
- [21.] The Complainant certifies that the information contained in this Complaint is to the best of the Complainant's knowledge complete and accurate, that this Complaint is not being presented for any improper purpose, such as to harass, and that the assertions in this Complaint are warranted under the Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument.

Respectfully submitted,

/s/Tristan C. Robinson

**Tristan C. Robinson**  
Weaver Robinson Law Firm, PLLC  
1112 E. Copeland Rd., Ste. 130  
Arlington, Texas 76011  
817-460-5900

Date: 7/26/21

#### **XIV. List of Annexes**

(Rules, Paragraph 3(b)(xiv); Supplemental Rules, Paragraphs 4(a), 12(a), Annex E)

[22.] The Rules provide that a Complaint or Response, including any annexes, shall be submitted electronically. Under the Supplemental Rules, there is a file size limit of 10MB (ten megabytes) for any one attachment, with an overall limit for all submitted materials of no more than 50MB (fifty megabytes).

[23] In particular, paragraph 12 and Annex E of the Supplemental Rules provides that, other than by prior arrangement with the Center, the size of any individual file (such as a document in Word, PDF or Excel format) transmitted to the Center in connection with any UDRP proceeding shall itself be no larger than 10MB. When larger amounts of data need to be transmitted, larger files can be “split” into a number of separate files or documents each no larger than 10MB. The total size of a Complaint or response (including any annexes) filed in relation to a UDRP dispute shall not exceed 50MB, other than in exceptional circumstances (including in the case of pleadings concerning a large number of disputed domain names) where previously arranged with the Center.

Annex 1: ICANN WHOIS Registrar Lookup

Annex 2: Universal Terms of Service Agreement for Registrar, GoDaddy.com

Annex 3: Respondent’s Website

Annex 4: TORRENT DEFENDERS® Registration

Annex 5: [www.torrent-defenders.com](http://www.torrent-defenders.com) website printout

Annex 6: [www.vondranlegal.com/bittorrent-defense-lawyer/](http://www.vondranlegal.com/bittorrent-defense-lawyer/) website printout

Annex 7: Trademark Electronic Search System Search Results

*[Additionally, to avoid any uncertainty, it is requested that any Annexes (and their corresponding filenames) be clearly labeled and sequentially numbered (i.e. Annex 1, 2, 3 etc), and a complete list of Annexes supplied].*