

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Greenberg Gross LLP v. GreenbergGrossLLP.com

No. CV-25-01176-PHX-MTL (D. Ariz. Feb. 12, 2026) · No. No. CV-25-01176-PHX-MTL · Decided February 12, 2026

SUMMARY

The United States District Court for the District of Arizona grants Greenberg Gross LLP's ex parte application to waive publication of notice in an in rem cybersquatting action involving the domain name GreenbergGrossLLP.com. The court finds that effective publication is impossible because the registrants concealed their identities and locations, and it directs the Clerk to enter default against the domain name. The court denies as moot the plaintiff's motion for an extension of time to effectuate service.

OPINION

1 WO 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF
ARIZONA 8 9 Greenberg Gross LLP, No. CV-25-01176-PHX-MTL 10 Plaintiff, ORDER 11 v. 12
GreenbergGrossLLP.com, 13 Defendant. 14 15 Before the Court is Plaintiff's Ex Parte
Application for an Order Waiving Service 16 by Publication and Directing Entry of Default (Doc.
25). Plaintiff requests an order from 17 the Court waiving the publication requirement imposed by
18 15 U.S.C. § 1125(d)(2)(A)(ii)(II)(bb).

(Id.) Plaintiff also asks the Court to direct the Clerk 19 of Court to enter default as to in rem
Defendant <GreenbergGrossLLP.com> domain name. 20 (Id.) 21 I. 22 Plaintiff must "publish[]
notice of the action as the court may direct." 23 15 U.S.C. § 1125(d)(2)(A)(ii)(II)(bb).

The statutory text is "permissive" and "grants the 24 Court discretion to waive publication." Ent.
USA Inc. v. Baldinsky, 641 F. Supp. 3d 794, 25 799-800 (D. Ariz. 2022). In Baldinsky, the court
found: 26 Where... [a] registrant of a domain name has concealed his or her identity by registering
the domain name under a fictitious name and has made himself 27 or herself impossible to find by
listing an inaccurate postal address and phone 28 number, and possibly an inaccurate email
address as well, and there is no I way to know the city or even the country in which he or she
might reside, 2 there is simply no manner of publication that reasonably could be expected to
reach the registrant.

Impossibility is reason enough for the Court to decline 3 to direct publication. 41) 7d. at 800-01. 5
IL. 6 7 The present case presents similar circumstances to Baldinsky. Here, the registrants, across
three different countries, have concealed their identities.

The Court therefore adopts the same finding as the Baldinsky court. That is, effective notice by publication is impossible. The Court will waive the publication requirement under 15 U.S.C. § 1125(d)(2)(A)(i)(bb). The Court also finds that, based on Plaintiffs diligent efforts to provide notice to the registrants via mail and email (Doc. 25 at 7-8), Plaintiff has satisfied 15 U.S.C. § 1125(d)(2)(A)(i)(bb). Because Plaintiff has complied with the service provisions of the Anti-Cybersquatting Consumer Protection Act, the Court will direct the Clerk of Court to enter default as to the Defendant domain name.

li. 17 12 IT IS ORDERED that Plaintiff's application (Doc. 25) is GRANTED. The Court 19
waives the requirement in 15 U.S.C. § 1125(d)(2)(A)GiCD(bb), so Plaintiff need not 50
effectuate service via publication. IT IS FURTHER ORDERED that the Clerk of Court is directed
to enter default 59 as to in rem Defendant <GreenbergGrossLLP.com> domain name. 53 IT IS
FINALLY ORDERED that Plaintiff's Ex Parte Motion for Extension of Time to Effectuate Service
of Process (Doc.

27) is DENIED as moot. 55 Dated this 12th day of February, 2026. 26 WM Chal T. burgle 27
Michael T. Liburdi 28 United States District Judge -2-