

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

OPINION

GreenbergGrossLLP.com

PER CURIAM.

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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 9 the same finding as the Baldinsky court. That is,
effective notice by publication is 10 impossible. The Court will waive’ the publication requirement
under 15 U.S.C. § 1125(d)(2)(A) Gi) (bb). D The Court also finds that, based on Plaintiffs diligent
efforts to provide notice to 13 the registrants via mail and email (Doc. 25 at 7-8), Plaintiff has
satisfied 4 15 U.S.C. § [REDACTED] Because Plaintiff has complied with the
service 15 provisions of the Anti-Cybersquatting Consumer Protection Act, the Court will direct
the 16 Clerk of Clerk to enter default as to the Defendant domain name. Ii. 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)Gi)CD(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-