

ADMINISTRATIVE PANEL DECISION

TONKS LTD v. Ravi Kumar

Case No. D2025-1607

1. The Parties

Complainant is TONKS LTD, Cyprus, represented by SafeNames Ltd., United Kingdom.

Respondent is Ravi Kumar, India.

2. The Domain Name and Registrar

The disputed domain name <linebet.one> is registered with Web Commerce Communications Limited dba WebNic.cc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 22, 2025. On April 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 24, 2025, the Registrar transmitted by email to the Center its verification response confirming that Respondent is listed as the registrant and providing the contact details.

The Center verified that the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on May 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2025. Respondent did not file a formal response to the Complaint. On May 24, 2025, the Center received an email from an email address associated with Respondent providing an informal response generally denying the contentions set forth in the Complaint.

The Center notified the Parties of the commencement of panel appointment process on June 5, 2025.

The Center appointed Scott R. Austin as the sole panelist in this matter on June 16, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The following facts appear from the Complaint and its Annexes (which facts have not been contested by Respondent).

Complainant operates a platform for international online gambling services under the trademark LINEBET (the "LINEBET Mark") predominantly pertain to online slots, live casinos, and over 1,000 sports betting events. Complainant's platform received an average of more than 293,300 visits per month between November 2024 and January 2025, according to third-party statistics.

Complainant claims statutory trademark rights through a number of registrations for the LINEBET Mark around the world for a range of products and services, including the following:

European Union Registration No. 018952983, LINEBET, registered on March 2, 2024, for a range of services in International Classes 35, 41 and 42;

European Union Registration No. 018952940, LINEBET, registered on March 2, 2024, for a range of services in International Classes 35, 41 and 42;

European Union Registration No. 018952911, LINEBET, registered on March 2, 2024, for a range of services in International Classes 35, 41 and 42.

Complainant also shows it wholly incorporates the LINEBET Mark into its official domain name registered under the generic Top Level Domain ("gTLD") ".com", <linebet.com>, which provides access to its primary website, "www.linebet.com" (the "Official LINEBET Mark Website"), used to operate its main platform and facilitate access to its gambling services offerings worldwide.

Respondent registered the disputed domain name on October 15, 2024, and as of the filing of the Complaint the disputed domain name resolved to a website that impersonated Complainant's brand, including use of the official LINEBET logo, purporting to provide access to the Complainant's LINEBET application with the prompt "Download Linebet APK". In addition, Respondent prompts visitors to download competitor's "APK" as well and to engage with a competitor website.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name. Complainant contends that the disputed domain name is identical or confusingly similar to Complainant's LINEBET Mark, that Respondent has no rights or legitimate interests in respect of the disputed domain name, and that the disputed domain name was registered and is being used in bad faith. Notably, Complainant contends its LINEBET Mark is widely recognized and well known based on its online platform in use for its gambling services with several hundred thousand monthly visitors from around the world to its Official LINEBET Mark Website. Complainant further contends that Respondent's copycat website combined with the disputed domain name being identical to Complainant's Mark and official domain name, adding only the generic top level domain name ".one" which is disregarded for purposes of the Policy,

is intended to create consumer confusion or false association with Complainant and supports targeting as grounds for bad faith registration and use.

B. Respondent

Respondent did not file a formal Response to Complainant's contentions, but on May 24, 2025, sent an email to the Center with assertions generally denying the contentions in Complainant's Complaint without supporting citation or documentation. Respondent's email contended, inter alia, that Complainant has not satisfied all three of the elements required under the Policy for a transfer of the disputed domain name.

6. Discussion and Findings

Paragraph 15(a) of the Rules provides that the Panel is to decide the Complaint on the basis of the statements and documents submitted in accordance with the Policy, the Rules, and any rules and principles of law that it deems applicable.

The onus is on Complainant to make out its case and it is apparent from the terms of the Policy that Complainant must show that all three elements set out in paragraph 4(a) of the Policy have been established before any order can be made to transfer a domain name. As the proceedings are administrative, the standard of proof under the Policy is often expressed as the "balance of the probabilities" or "preponderance of the evidence" standard. Under this standard, an asserting party needs to establish that it is more likely than not that the claimed fact is true. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.2.

Thus, for Complainant to succeed it must prove within the meaning of paragraph 4(a) of the Policy and on the balance of the probabilities that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which Complainant has rights; and
- (ii) Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The Panel finds that Complainant has met its burden in all three elements of the Policy and will deal with each of these elements in more detail below.

A. Identical or Confusingly Similar

To prove this element, Complainant must have trade or service mark rights, and the disputed domain name must be identical or confusingly similar to Complainant's trade or service mark.

Ownership of a trademark registration is generally sufficient evidence that a complainant has the requisite rights in a mark for purposes of paragraph 4(a)(i) of the Policy. [WIPO Overview 3.0](#), section 1.2.1. Moreover, "[n]oting in particular the global nature of the Internet and Domain Name System, the jurisdiction(s) where the trademark is valid is not considered relevant to panel assessment under the first element. [...] the filing/priority date, date of registration, and date of claimed first use, are not considered relevant to the first element test. These factors may however bear on a panel's further substantive determination under the second and third elements". [WIPO Overview 3.0](#), section 1.1.2.

Based upon the trademark registrations cited by Complainant, as well as supporting documents, the Panel finds that Complainant has established trademark rights in and to its LINEBET Mark.

Having met its burden for established trademark rights in the LINEBET Mark, Complainant next contends that the disputed domain name meets the remaining requirement of the first element test, to be identical or confusingly similar to Complainant's LINEBET Mark, because the second level component of the disputed domain name is comprised solely of the term "linebet", identical to the LINEBET Mark, as well as the domain name registered by Complainant to access its Official LINEBET Mark Website <linebet.com>.

[WIPO Overview 3.0](#), section 1.7 provides: "It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the complainant's trademark and the disputed domain name."

Prior UDRP panels have held the fact that a domain name wholly incorporates a complainant's registered mark is sufficient to establish identity or confusing similarity for purposes of the Policy despite the addition of other words to such marks. [WIPO Overview 3.0](#), section 1.7; see also *Ice House America LLC v. Ice Igloo, Inc.*, WIPO Case No. 2005-0649.

The second level of the disputed domain name is identical to Complainant's LINEBET Mark in its entirety. The addition of the gTLD, in this case, ".one", a new gTLD of general application, is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test. [WIPO Overview 3.0](#), section 1.11; see also *Volkswagen AG v. Darcy Jovic*, WIPO Case No. [D2015-1878](#).

Complainant's LINEBET Mark is incorporated in its entirety into the disputed domain name. Accordingly, the Panel finds the disputed domain name is identical to the LINEBET Mark in which Complainant has rights and Complainant has thus satisfied its burden under paragraph 4(a)(i) of the Policy.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the perplexing task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1. See also, *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Respondent here has failed to present any evidence of its rights or legitimate interests in the disputed domain name.

The Panel finds that Complainant has established a prima facie case that Respondent has no rights or legitimate interests in the disputed domain name.

First, Complainant notes that since November 2023 an "affiliate user" business relationship has existed with Respondent recorded under a different company name, and had previous contact with Respondent between approximately December 23 to 29, 2024 in relation to the Disputed Domain Name pursuant to a program which allows affiliate users to generate revenue for referring customers. Complainant shows, however, this prior relationship does not give rise to any rights or legitimate interest on part of Respondent because Respondent's copycat website and the disputed domain name violate Complainant's affiliate Terms and Conditions which explicitly prohibit "contextual advertising containing the Linebet brand name, or to create websites, whose domain names contain the Linebet brand name". Respondent's prohibited activity,

therefore, clearly does not give rise to any license, permission, or authorization by Complainant for Respondent to use the LINEBET Mark in the disputed domain name or otherwise.

The Panel finds that Respondent, although possibly engaged in Complainant's affiliate program, has violated the agreement central to that program and Respondent has not been authorized or licensed by Complainant to use and register the LINEBET Mark or to register any domain name incorporating Complainant's LINEBET Mark.

Prior UDRP panels under the Policy have found that "[i]n the absence of any license or permission from Complainant to use its trademark, no actual or contemplated bona fide or legitimate use of the disputed domain name could reasonably be claimed". See *Sportswear Company S.P.A. v. Tang Hong*, WIPO Case No. [D2014-1875](#).

Paragraph 4(a)(ii) of the Policy also directs an examination of the facts to determine whether a respondent has rights or legitimate interests in a domain name. Paragraph 4(c) lists a number of ways in which a respondent may demonstrate that it does have such rights or legitimate interests.

Complainant contends Respondent is not commonly known by the disputed domain name or the LINEBET Mark, in accordance with paragraph 4(c)(ii) of the Policy. Complainant shows from the Whois record submitted in the Annex to its Complaint and the Registrar's disclosure that Respondent appears to be trading under the name "Ravi Kumar" which does not resemble the disputed domain name or Complainant's mark in any manner. The Panel finds upon review of the Whois record and evidence submitted by Complainant that Respondent, Ravi Kumar is not commonly known by the disputed domain name.

Complainant next contends that Respondent is not using the disputed domain name in connection with a legitimate noncommercial or fair use anticipated under paragraph 4(c)(iii) of the Policy, but has intentionally chosen a domain name based on a well-known registered trademark in order to generate traffic and income for Respondent's commercial benefit. Complainant shows that initially as of the filing of the Complaint, the disputed domain name resolved to Respondent's copycat website to impersonate Complainant including use of the official LINEBET logo, purporting to provide access to Complainant's LINEBET application with the prompt "Download Linebet APK", but also prompting visitors to download competitor "APK" application as well and to engage with a competitor website.

The Panel notes that the record supports Complainant's argument that Respondent is juxtaposing Complainant's widely recognized LINEBET Mark for gambling services with a website created by Respondent to create a false association with Complainant, by which Respondent likely earns income or is enabled to phish personal or financial information from Complainant's customers or prospective customers.

Previous UDRP panels have held that a respondent's use of a domain name will not be considered 'fair' if it falsely suggests affiliation with the trademark owner and that a respondent's use of a complainant's term to redirect users (e.g. to a competing site) would not support a claim to rights or legitimate interests. Here, the disputed domain name combines the widely recognized LINEBET Mark with a copycat website using Complainant's official logo to create an implied affiliation to mislead Internet users expecting to find Complainant and instead are directed to a website featuring Respondent's competing gambling business as a pretext for Respondent's commercial gain. [WIPO Overview 3.0](#), sections 2.5.1 and 2.5.3. See also *Magellan v. Whois Agent, Domain Protection Services, Inc / Efdt Wfdhgf*, WIPO Case No. [D2022-0839](#).

In view of the above, the Panel finds that Complainant has made out a prima facie case that Respondent has no rights or legitimate interests in the disputed domain name. Respondent's informal email response has not submitted any argument or evidence to rebut Complainant's prima facie case. The Panel determines, therefore, that Respondent does not have rights or legitimate interests in the disputed domain name and that Complainant has satisfied the requirements of paragraph 4(a)(ii) of the Policy.

C. Registered and Used in Bad Faith

Whether a domain name is registered and used in bad faith for purposes of the Policy may be determined by evaluating four (non-exhaustive) factors set forth in the Policy, paragraph 4(b):

- (i) circumstances indicating that the respondent has registered or the respondent has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registrations to complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of the respondent's documented out-of-pocket costs directly related to the domain name; or
- (ii) the respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in corresponding domain name, provided that the respondent has engaged in a pattern of such conduct; or
- (iii) the respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or
- (iv) by using the disputed domain name, the respondent has intentionally attempted to attract, for commercial gain, Internet users to the respondent's website or other online location, by creating a likelihood of confusion with complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the respondent's website or location.

The Panel finds that Respondent has registered and used the disputed domain name in bad faith for at least the following reasons.

First, Complainant contends and has provided persuasive support that Respondent registered the disputed domain name fully aware of Complainant's rights, because the submitted record shows the registration date of the disputed domain name is clearly subsequent to the dates of Complainant's trademark registrations for the LINEBET Mark and Respondent's subsequent use of the Disputed Domain Name to host a site laden with Complainant's trademark, services, and official logo corroborates Respondent's prior knowledge and intent to target the LINEBET Mark. Respondent, a former "affiliate user" cannot claim to have been using the LINEBET Mark, without being aware of Complainant's rights to it. Complainant's evidence in support of its allegations is sufficient for the Panel to agree that Respondent could not plausibly argue that it did not have knowledge of Complainant's LINEBET Mark., registered since March 2024, when Respondent registered the disputed domain name months later in October 2024.

The Panel finds that given the worldwide access and use of Complainant's LINEBET Mark on its gambling platform, trademark registrations of the LINEBET Mark well prior to Respondent's registration of the disputed domain name, and Respondent's replication of the mark in its entirety in the disputed domain name to support a copycat website targeting Complainant's LINEBET Mark, Respondent registered the disputed domain name with actual knowledge of Complainant's LINEBET Mark in bad faith. See *Royds Withy King LLP v. Help Tobuy*, WIPO Case No. [D2019-0624](#). See [WIPO Overview 3.0](#), section 3.2.2; see, e.g., *eBay Inc. v. Sunho Hong*, WIPO Case No. [D2000-1633](#) (actual knowledge of Complainant's rights in its trademarks a factor supporting bad faith).

Moreover, the UDRP panel in *Intel Corporation v. The Pentium Group*, WIPO Case No. [D2009-0273](#), stated that, "[t]he incorporation of a well-known trademark into a domain name by a registrant having no plausible explanation for doing so may be, in and of itself, an indication of bad faith". See also *Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#); *General Electric Company v. CPIC NET and Hussain Syed*, WIPO Case No. [D2001-0087](#); and *Microsoft Corporation v. Montrose Corporation*, WIPO Case No. [D2000-1568](#).

Even without the clear evidence of Respondent's experience as an "affiliate user" in Complainant's affiliate program, Complainant shows that prior UDRP panels have recognized Complainant's LINEBET Mark as well

known or widely recognized within its sector of gambling services. See e.g., *TONKS Ltd. v. Andrii Izhakevych*, WIPO Case No. [D2025-0800](#) and *Tonks Ltd. v. Olena Kalvynkovska*, WIPO Case No. [D2025-0852](#).

Respondent has had multiple opportunities to explain and justify how Respondent came to register the disputed domain name but has failed to do so, other than an informal email generally denying the Complaint. Indeed, the fact that Respondent has elected not to submit a formal response in this proceeding, but an email with unsupported assertions amounting to a general denial underscores that Respondent likely has no valid explanation for Respondent's actions, which to this Panel appears on the evidence submitted to have been undertaken in bad faith. See, e.g., *Volkswagen Group of America, Inc. v. Super Privacy Service Ltd. c/o Dynadot*, WIPO Case No. [D2019-2521](#).

Finally, Complainant contends Respondent's actions constitute use of the disputed domain name in bad faith because Respondent has chosen a trademark, which is used to access a widely known gambling platform for gambling services, to attract visitors to a copycat website featuring competing gambling services.

In this case, Complainant alleges that Respondent registered and uses the disputed domain name in bad faith for a variety of reasons, particularly because of Respondent's use of the disputed domain name for a copycat website used to engage competing gambling services. This Panel finds the same conclusion should be applied here because Respondent is using the LINEBET Mark within the disputed domain name to attract visitors and then direct them to the website featuring competing gambling services as detailed in Section 6 B. above. This use clearly constitutes an intentional attempt by Respondent to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with Complainant's LINEBET Mark as to the source, affiliation or endorsement of the website to which the disputed domain name resolves in violation of paragraph 4(b)(iv) of the Policy.

The Panel finds Complainant's arguments and evidence persuasive, and Respondent has submitted no arguments or evidence to the contrary. Considering all the circumstances, the Panel concludes that Respondent has registered and used the disputed domain name in bad faith and Complainant has satisfied paragraph 4(a)(iii) of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <linebet.one> be transferred to Complainant.

/Scott R. Austin/

Scott R. Austin

Sole Panelist

Date: July 5, 2025