

## **ADMINISTRATIVE PANEL DECISION**

Tipico Group Ltd. v. Mikolaj Szpak  
Case No. D2026-0056

### **1. The Parties**

The Complainant is Tipico Group Ltd., Malta, represented by Boehmert & Boehmert, Germany.

The Respondent is Mikolaj Szpak, Poland.

### **2. The Domain Name and Registrar**

The disputed domain name <tipicogames.casino> is registered with Dynadot Inc (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on January 8, 2026. On January 8, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 9, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 12, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on January 13, 2026.

The Center verified that the Complaint together with the amendment to 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 the Respondent of the Complaint, and the proceedings commenced on January 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 10, 2026.

The Center appointed Christopher J. Pibus as the sole panelist in this matter on February 18, 2026. 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 Complainant is part of the Tipico group of companies, an international provider of sports betting services and virtual games, headquartered in St Julian's, Malta. The Complainant's business was founded in 2004 and over the years, it has developed into one of the leading providers of online and retail betting services across Europe. The Tipico business has branches in Germany, Austria, Croatia, Gibraltar, United Kingdom, and Malta. In the German market it operates more than 1,000 betting shops throughout the country. More than 6,000 people work for the Complainant and its associated franchise network.

The Complainant owns a portfolio of registered TIPICO-formative marks, including the following:

European Union Trade Mark No. 003939998 TIPICO (word) registered on September 23, 2005 in Class 41;

European Union Trade Mark No. 011339835 (TIPICO device) registered on May 3, 2013 in Classes 3, 7, 9, 14, 16, 25, 28, 32, 33, 34, 35, 36, 38, 41, 42, 43, 45.

The Complainant has established its reputation in the TIPICO brand through its significant market share and by engaging in high level promotional activities. For example, the Complainant acts as a sponsor for the soccer team FC Bayern Munich.

The disputed domain name was registered by the Respondent on June 19, 2025. Shortly thereafter, the Respondent began using the disputed domain name to host an online gambling website under the trade name Tipico Games Casino, prominently displaying the trademark TIPICO and the registered TIPICO device.

#### **5. Parties' Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that its trademark is highly distinctive and well-known internationally, with registrations in numerous jurisdictions, including the European Union where the Respondent appears to reside. The Respondent is using the disputed domain to host a copycat website which offers gambling games competitive with those of the Complainant, and prominently displays copied versions of both the TIPICO word mark and design mark. In the absence of any response from the Respondent, the Complainant urges the Panel to find deliberate targeting of the well-known mark for improper purposes.

##### **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## 6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, the Complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the trademark or service mark in which the Complainant has rights;
- (ii) the 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.

### A. Identical or Confusingly Similar

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. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the TIPICO mark is reproduced within the disputed domain name, and the Panel finds the mark is recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms, here, "games", may bear on assessment of the second and third elements, the Panel finds the addition of this sort of descriptive term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel finds the first element of the Policy has been established.

### B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the 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 that a respondent lacks rights or legitimate interests in a domain name may result in the difficult 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 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. In particular, the Respondent is not making a legitimate, noncommercial or fair use of the disputed domain name without intent for commercial gain. Instead, as described above, the Respondent is using the disputed domain name to deceive third parties, by hosting a copycat website using the Complainant's trademark, logos and branding. The record shows the disputed domain name and the associated website are configured to ultimately redirect users to another online gambling and betting website. The Respondent has not rebutted

the Complainant's prima facie showing of targeted impersonation and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

Panels have held that the use of a domain name for illegitimate activity here, claimed copycat sites, passing off, or other types of fraud, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

The Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark, which constitutes bad faith use and registration under paragraph 4(b)(iv) of the Policy. The Complainant has provided persuasive evidence of bad faith misconduct in the form of pages from the Respondent's website associated with the disputed domain name. In particular this evidence shows that the Respondent has targeted the Complainant by adopting and prominently using the confusing the "Tipico Games Casino" trade name as a principal identifier, on its website in multiple locations. In addition, the Respondent has displayed the distinctive design version of the TIPICO trademark name on its website, all of which confirms the Respondent's full awareness of the Complainant's trademark rights and a deliberate intention to deceive consumers, by creating the false impression that the website is operated or endorsed by the Complainant. The Panel also acknowledges the evidence that users of the Respondent's website, if they attempt to register online, are redirected to another gambling website which has no connection to the Complainant's business or its brands.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may also be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1. In this regard, Panels have held that the use of a domain name for illegitimate activity, here, claimed copycat sites, passing off, or other types of fraud, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the Complainant has established the third element 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 <tipicogames.casino> be transferred to the Complainant.

*/Christopher J. Pibus/*

**Christopher J. Pibus**

Sole Panelist

Date: March 4, 2026