

ADMINISTRATIVE PANEL DECISION

Elec Games Ltd. v. Nicolas Canteros Alvarez
Case No. D2024-5215

1. The Parties

The Complainant is Elec Games Ltd., Malta, represented by Abion AB, Sweden.

The Respondent is Nicolas Canteros Alvarez, Argentina.

2. The Domain Name and Registrar

The disputed domain name <boostcasino.ink> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on December 18, 2024. On December 19, 2024, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On December 19, 2024, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 20, 2024, 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 December 23, 2024.

The Center verified that the Complaint together with the amendment to the amended 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 December 23, 2024. In accordance with the Rules, paragraph 5, the due date for Response was January 12, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on January 16, 2025.

The Center appointed George R. F. Souter as the sole panelist in this matter on January 20, 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 Complainant is a Maltese company trading in online-based games, betting and casino services under its trademark BOOST CASINO, and is the proprietor of European Union trademark registration No. 017754681, registered on May 18, 2018, United Kingdom registration No. 00917754681, registered on May 18, 2018, and Norwegian registration No. 201801536, registered on September 30, 2022 in respect of this trademark.

The disputed domain name was registered on December 4, 2024, and resolves to a website offering online casino services in competition with those offered by the Complainant.

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 the Respondent is not generally known by the disputed domain name, and that the Complainant has never granted permission to the Respondent to use its BOOST CASINO trademark in connection with the registration of a domain name, or otherwise.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

The Complainant has shown rights in respect of its BOOST CASINO trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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

B. Rights or Legitimate Interests

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. The Respondent has not rebutted the Complainant's prima facie showing 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.

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

C. Registered and Used in Bad Faith

The Panel is convinced that the disputed domain name was registered in order to compete unfairly with the Complainant, which renders a finding of registration in bad faith inevitable, and the Panel so finds.

It is well-established in prior UDRP decisions under the Policy that the use of a domain name found to be identical or confusingly similar to a complainant's trademark for the purpose of offering services competing with those offered by the complainant constitutes use of the disputed domain name in bad faith.

Having reviewed the website operated under the disputed domain name, and the website operated by the Complainant via a sister company under the domain name <boostcasino.com>, the Panel concludes that the website operated under the disputed domain name is a deliberate attempt to invoke affiliation with the Complainant, which, clearly, justifies a finding of use in bad faith, and the Panel so finds.

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

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 <boostcasino.ink> be transferred to the Complainant.

/George R. F. Souter/

George R. F. Souter

Sole Panelist

Date: February 3, 2025