

ADMINISTRATIVE PANEL DECISION

Entain Operations Limited, Sportingbet Limited v. Hermes Pedone
Case No. D2025-0079

1. The Parties

The Complainants are Entain Operations Limited, Gibraltar, United Kingdom, and Sportingbet Limited, United Kingdom, represented by Stobbs IP Limited, United Kingdom.

The Respondent is Hermes Pedone, Italy.

2. The Domain Name and Registrar

The disputed domain name <sportingbet-casino.top> (the “Domain Name”) 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 7, 2025. On January 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On January 10, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Name which differed from the named Respondent (Dynadot LLC / REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainants on January 15, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainants to submit an amendment to the Complaint. The Complainants filed an amended Complaint on January 17, 2025.

The Center verified that the Complaint together with 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 January 20, 2025. In accordance with the Rules, paragraph 5, the due date for Response was February 9, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on February 12, 2025.

The Center appointed Mathias Lilleengen as the sole panelist in this matter on February 18, 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 to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The SPORTINGBET brand was established in 1998 and was acquired by the Entain plc in March 2013 from William Hill for GBP 530 million. Entain plc operates a portfolio of established betting brands. Sportingbet Limited is a subsidiary of Entain plc. Sportingbet Limited is registered in the United Kingdom under Company number 03534726 and is the proprietor of SPORTINGBET trademarks. Hereinafter “Complainant” will refer to both Complainants, if not specified otherwise.

The Complainant owns trademark registrations for SPORTINGBET in several jurisdictions, such as European Union Trade Mark No. 018458660 (registered on July 9, 2022). The Complainant has sponsored football clubs across the United Kingdom and the European Union. The Complainant registered the domain name <sportingbet.com> in September 1997. It resolves to the Complainant’s website. It generates average user traffic of over 8 million visitors per month. The Complainant operates a sports betting application featuring the brand and trademark. The Complainant is also active on social media.

The Domain Name was registered on May 20, 2024. The Domain Name has resolved to a webpage that appears to offer gaming services in Russian language under a similar sign to the Complainant’s trademark.

5. Parties’ Contentions

A. Complainant

The Complainant provides evidence of trademark registrations and argues that the Domain Name incorporates the Complainant’s trademark in its entirety with the addition of the term “-casino”. The addition does not prevent a finding of confusing similarity to the trademark, as the Domain Name does not disassociate itself from the Complainant’s trademark.

The Complainant argues that the Respondent has no rights or legitimate interests in respect of the Domain Name. The Respondent has not been commonly known by the Domain Name. The Respondent has not made any demonstrable preparations to use the Domain Name in connection with a bona fide offering of goods or services. The use of the Domain Name – to resolve to a website that offers similar goods or services as the Complainant – is not a legitimate noncommercial or fair use and does not support a right or legitimate interest under Policy.

The Complainant argues inter alia that the Respondent knew or should have known of the Complainant and its trademark at the time of the registration of the Domain Name. The Complainant’s trademark registrations pre-date the Respondent’s registration of the Domain Name. The Respondent uses the Complainant’s name and trademark to confuse customers by using signs that are identical to the Complainant’s brand. According to the Complainant, the Respondent has registered and used the Domain Name to attract, for commercial gain, Internet users to the Respondent’s website by creating a likelihood of confusion with the Complainant.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

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 Domain Name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has established that it has rights in the trademark SPORTINGBET. In this case, the Domain Name incorporates the Complainant's trademark with the addition of "-casino". The addition does not prevent a finding of confusing similarity between the Domain Name and the trademark. [WIPO Overview 3.0](#), section 1.8. For the purpose of assessing under paragraph 4(a)(i) of the Policy, the Panel may ignore the generic Top-Level Domain. [WIPO Overview 3.0](#), section 1.11.1.

The Panel finds that the Domain Name is confusingly similar to a trademark in which the Complainant has rights in accordance with 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 a respondent may demonstrate rights or legitimate interests in a disputed domain name.

While 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 often impossible 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. 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.

There is no evidence on the record showing that the Respondent is affiliated or related to the Complainant in any way. There is no evidence that the Respondent has registered the Domain Name as a trademark or acquired trademark rights. There is no evidence of the Respondent's use of, or demonstrable preparations to use, the Domain Name or a name corresponding to the Domain Name in connection with a bona fide offering of goods or services. On the contrary, the use of the Domain Name is evidence of bad faith, as discussed below.

The Panel finds that the Respondent has no rights or legitimate interests in respect of the Domain Name in accordance with paragraph 4(a)(ii) of the Policy.

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.

The Respondent most likely knew of the Complainant when he registered the Domain Name. It follows from the composition and use of the Domain Name. As mentioned above, the Domain Name has resolved to a website that purportedly offers gaming services in Russian language under a similar sign to the Complainant's trademark (in this regard, the Panel notes that the figurative sign displayed on the Respondent's website is essentially identical to the Complainant's figurative trademark, including in terms of color, style, and font). Based on the case file and the fact that there are no other explanations offered to why the Respondent has registered the Domain Name, the Panel concludes that the Respondent has most likely

registered the Domain Name in an attempt to unfairly take advantage of the Complainant's brand and trademark.

Based on the available record, 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 Domain Name <sportingbet-casino.top> be transferred to the Complainant.

/Mathias Lilleengen/

Mathias Lilleengen

Sole Panelist

Date: February 24, 2025