

ADMINISTRATIVE PANEL DECISION

Bailamia Investments Ltd v. Name Redacted
Case No. D2025-0464

1. The Parties

The Complainant is Bailamia Investments Ltd, Cyprus, internally represented.

The Respondent is Name Redacted.¹

2. The Domain Names and Registrar

The disputed domain names <jugabet-casino.com>, <jugabetcl-casino.com>, <jugabet-cl1.com> are registered with Internet Domain Service BS Corp (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 5, 2025. On February 6, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On February 7, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Unidentified person / REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 10, 2025, 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 amended Complaint on February 13, 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").

¹The Respondent appears to have used the name and contact details of a third party when registering the disputed domain names. In light of the potential identity theft, the Panel has redacted the Respondent's name from this Decision. However, the Panel has attached as Annex 1 to this Decision an instruction to the Registrar regarding transfer of the disputed domain names, which includes the name of the Respondent. The Panel has authorized the Center to transmit Annex 1 to the Registrar as part of the order in this proceeding and has indicated Annex 1 to this Decision shall not be published due to the exceptional circumstances of this case. See *Banco Bradesco S.A. v. FAST-12785241 Attn. Bradescourgente.net / Name Redacted*, WIPO Case No. [D2009-1788](#).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on February 27, 2025. In accordance with the Rules, paragraph 5, the due date for Response was March 19, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on March 20, 2025.

The Center appointed Reyes Campello Estebarez as the sole panelist in this matter on March 27, 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 Cyprus-based company specialized in online gambling and sports betting services.

The Complainant operates under the JUGABET mark, and holds several trademark registrations for this brand, including the following:

Trademark	Registration No.	Jurisdiction	Date of Registration	Class
	1760275	International Trademark designating Brazil, Chile, Colombia, and Mexico	August 9, 2023	41
	93692	Cyprus	November 14, 2023	41
	00155401	Peru	April 26, 2024	41

Collectively hereinafter referred as the "JUGABET mark".

The Complainant operates its online casino business through the domain name <jugabet.cl>.

The disputed domain names were registered on May 22, 2024, and they resolve to the same or very similar bilingual Spanish-English language websites that prominently reproduce the JUGABET mark (with nearly identical graphic representation as that of the Complainant's trademark registrations) at their heading and in various other sections. These websites offer online casino and sports betting services, and they do not contain any information about their owner or that of the disputed domain names. The Copyright note of the websites indicates, "2025 © Jugabet Copyrights. All Rights Reserved".

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to the JUGABET mark. The disputed domain names incorporate this trademark with additional terms, “cl”, which is a country code for Chile, a country where the Complainant operates, and/or the term “casino”, which is descriptive of the Complainant’s services.

The Complainant further contends the Respondent has no rights or legitimate interests in respect of the disputed domain names. The Respondent is not affiliated to nor authorized by the Complainant to use the JUGABET mark and is not using the disputed domain names in connection to any legitimate use or bona fide offering of goods or services. The disputed domain names resolve to websites that imitate the Complainant’s website, operate in the same field (online sports betting and casino services), and generate confusion, in an effort to capitalize on the Complainant’s reputed trademark.

The Complainant finally contends that the disputed domain names were registered and are being used in bad faith. The Respondent intentionally attempted to attract for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant’s mark. The Respondent’s websites feature the JUGABET mark and logo, and they mimic the Complainant’s official website design and color combination. The Respondent provides no information about the true owner behind its websites and conceals its identity. The Respondent’s websites carry out betting and gambling activities under the JUGABET mark without any licenses or permits and include a “Registration” or “Signing Up” button that redirects Internet users to a phishing attempt.

B. Respondent

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

In reply to a Center’s written communication, a person identified by the same name as provided by the Registrar verification as the registrant for the disputed domain names, indicated that he/she had never registered the disputed domain names and “maybe someone stole [his/her identity] illegally.”

6. Discussion and Findings

The Complainant has made the relevant assertions as required by the Policy and the dispute is properly within the scope of the Policy. The Panel has authority to decide the dispute examining the three elements in paragraph 4(a) of the Policy, taking into consideration all of the relevant evidence, annexed materials and allegations, and performing some limited independent research under the general powers of the Panel articulated, inter alia, in paragraph 10 of the Rules.

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 names. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ([“WIPO Overview 3.0”](#)), section 1.7.

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

The entirety of the textual element of the mark is reproduced within each of the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.10.

Although the addition of other terms here, the letters “cl” (country code of Chile), “cl1” and/or the term “-casino”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Accordingly, 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 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 3.0](#), 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 names. 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 names such as those enumerated in the Policy or otherwise.

Nothing in the record indicates the Respondent may have any rights or legitimate interests in the disputed domain names.

The Respondent has no authorization to use the Complainant’s trademark, and the Panel has corroborated through a search over the Global Brand Database that no other company or individual apart from the Complainant holds any trademark rights over the term “jugabet” or the terms “juga bet”.²

While the Panel is aware that “juga” is very similar to the term “juega”, which is a Spanish word that could be translated as “play” or “gamble”, the Panel does not consider coincidental that the combination of terms included in the disputed domain names corresponds to the Complainant’s trademark. In this regard, the Panel notes the disputed domain names include, notably, terms related to the same location (“cl”, the country code of Chile), where the Complainant operates. The Complainant’s official website uses a domain name with the country-code Top-Level Domain (“ccTLD”) “.cl”, <jugabet.cl>, and the Complainant’s platform includes online casino services. The addition of the term “cl” reinforces and enhances the risk of confusion with the Complainant’s platform and its trademark.

The Panel has further confirmed that, according to the Complainant’s allegations, the Respondent’s websites have a similar layout as the Complainant’s official website (“www.jugabet.cl”) using a very similar design and identical color combination. The Respondent’s websites operate in the same field and incorporate the JUGABET mark and the Complainant’s logo with a nearly identical graphic representation as the one registered and used by the Complainant. Therefore, the Panel finds the Respondent’s websites constitute an attempt to impersonate or pass off as the Complainant, which cannot be considered a bona fide offering of goods or services under the Policy. In this respect, the consensus view among previous panels appointed under the Policy is that the use of a domain name for illegitimate activities, such as impersonation or passing off, can never confer rights or legitimate interests in a domain name on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

Therefore, the Panel finds the second element of the Policy has been established.

²Noting in particular the general powers of a panel articulated inter alia in paragraphs 10 and 12 of the Rules, it has been accepted that a panel may undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision. [WIPO Overview 3.0](#), section 4.8.

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 notes that the JUGABET mark has a strong presence over the Internet. The Panel has verified that any search over the Internet for the terms “jugabet” or “juga bet” reveals the Complainant’s online gambling betting platform and its trademark.

The Panel further finds the facts of this case show the Respondent has intentionally registered and used the disputed domain names to attract, for commercial gain, Internet users to its websites that impersonate the Complainant and, notably, have a similar layout as the Complainant’s official website at “www.jugabet.cl”. In this respect, the Panel notes the Respondent’s websites use a very similar design and color combination to the one used in the Complainant’s official website and prominently display the JUGABET mark and the Complainant’s logo (with a nearly identical graphic representation). Therefore, the Panel finds the Respondent has intended to impersonate the Complainant through its use of the disputed domain names. Particularly, the Respondent has purported to provide the same services as the Complainant, by using the Complainant’s JUGABET mark, the nearly identical logo and the layout similar to that of the Complainant’s official website, which constitutes bad faith under the Policy.

Panels have held that the use of a domain name for illegitimate or illegal activities here, claimed impersonation/passing off, or other types of fraud constitutes bad faith. See section 3.1.4 of the [WIPO Overview 3.0](#). The composition of the disputed domain names, incorporating the Complainant’s trademark in its entirety, notably with the term “cl”, a country code of Chile, where the Complainant operates which is also included as a ccTLD in the Complainant’s own domain name <jugabet.cl>, strengthens this conclusion. See *FLRish IP, LLC v. prince zvomuya*, WIPO Case No. [D2019-0868](#); *Kibali Goldmines SA v. Evans Wesonga*, WIPO Case No. [D2023-0905](#); or *Rootz LTD v. Mcleish Tracy Ann*, WIPO Case No. [D2024-5082](#).

The Panel further finds, as alleged by a person identified with the name used in the registration of the disputed domain names, the identity of this person may have been used by the Respondent without authorization, in a potential identity theft, to conceal the Respondent’s identity, which constitutes bad faith or corroborates the Respondent’s bad faith under the Policy. See *Belfius Bank S.A. / Belfius Bank N.V. v. Name Redacted*, WIPO Case No. [D2019-2313](#); and *BAWAG P.S.K. Bank für Arbeit und Wirtschaft und Österreichische Postsparkasse Aktiengesellschaft v. WhoisGuard, Inc. / Name Redacted*, WIPO Case No. [D2021-0509](#).

Therefore, having reviewed the record, the Panel finds the Respondent’s registration and use of the disputed domain names constitutes bad faith under the Policy, and the Complainant has established the third element of the Policy.

Finally, according to the Complainant’s allegations, the Panel considers the fact that the disputed domain names resolve to websites that require a registration or sign-up step may indicate an attempt of a phishing scam, however, there is no sufficient evidence in the record to establish the use of the disputed domain names in this type of fraud.

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 names <jugabet-casino.com>, <jugabetcl-casino.com>, and <jugabet-cl1.com> be transferred to the Complainant.

/Reyes Campello Estebaranz/

Reyes Campello Estebaranz

Sole Panelist

Date: April 8, 2025