

ADMINISTRATIVE PANEL DECISION

Yggdrasil Malta Limited v. Sheng Kai Lin
Case No. D2025-0845

1. The Parties

Complainant is Yggdrasil Malta Limited, Malta, represented by Aera A/S, Denmark.

Respondent is Sheng Kai Lin, Taiwan Province of China.

2. The Domain Name and Registrar

The disputed domain name <yggdrasilgaminggame.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on February 28, 2025. On February 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 3, 2025, 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, Privacy service provided by Withheld for Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on March 3, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amended Complaint on March 7, 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 Respondent of the Complaint, and the proceedings commenced on March 14, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 3, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on April 4, 2025.

The Center appointed Gabriel F. Leonardos as the sole panelist in this matter on April 9, 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

Complainant is a provider of online gaming solutions for i-Gaming operators and an important player in the online gambling market, with offices in Poland, Sweden, Gibraltar, United Kingdom, and Malta.

Complainant is well known in the international market and covers three product lines: Casino Slots, Table Games and Bingo. Since the company's inception it has engaged in a considerable growth trajectory being recognized by a number of awards in the gambling industry and also acquiring gambling licenses in several jurisdictions.

Complainant owns numerous registrations for the YGGDRASIL trademark, including variations such as YGGDRASIL GAMING, and also operates domain names containing said trademark, such as <yggdrasilgaming.com>.

Some examples of Complainant's trademarks registrations for YGGDRASIL can be found below:

Registration	Trademark	Jurisdictions	International Class	Registration Date
015691959	YGGDRASIL	European Union	9, 35, 41 and 42	November 4, 2016
018563621	YGGDRASIL	European Union	9, 28, 35, 38, 41, 42 and 45	January 20, 2022
015059959	YGGDRASIL GAMING	European Union	9, 35, 41 and 42	July 20, 2016
017763699	 YGGDRASIL	European Union	9, 35, 41 and 42	June 30, 2018

The disputed domain name was registered on December 20, 2024, and resolves to a website which claims to be a Japanese version of Complainant's services, with reference to Yggdrasil Japan and linking to the gaming website "www.pazuru.club".

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.

Notably, Complainant contends that the disputed domain name is confusing similar to the trademarks YGGDRASIL and YGGDRASIL GAMING owned by Complainant, arguing that the disputed domain name is composed by the exact reproduction of the YGGDRASIL trademark with the addition of the generic terms "gaming", "game" and followed by ".com".

Complainant notes that the addition of the descriptive terms "gaming" and "game" does not prevent in any way the possibility of confusion with Complainant's registrations but increases the likelihood of confusion with Complainant's trademark and services.

Moreover, Complainant claims that the addition of the terms does not impact the overall impression of the dominant part of the name YGGDRASIL, claiming that an Internet user or an email recipient would most probably assume a connection with or endorsement from Complainant and its business when coming in contact with the disputed domain name.

Therefore, according to Complainant, the disputed domain name is confusingly similar with Complainant's trademark YGGDRASIL and owned domain names, fulfilling paragraph 4(a)(i) of the Policy and paragraphs 3(b)(viii) and (b)(ix)(1) of the Rules.

Complainant asserts that Respondent has no rights or legitimate interests in respect of the domain name, owning no licenses or authorizations for the use of the trademark YGGDRASIL and states that has no affiliation or relationship to Complainant in any way.

Furthermore, Complainant states that Respondent is not using the disputed domain name in connection with any bona fide offering of goods or services, is not generally known by the disputed domain name and has not acquired any trademark or service mark rights in that name or mark.

To Complainant, it is apparent that Respondent is making an illegitimate, noncommercial and unfair use of the disputed domain name with the intent for commercial gain to misleadingly divert consumers and/or to harm Complainant's business reputation. In this manner, Complainant states that no legitimate use of the disputed domain name could be reasonably claimed by Respondent, fulfilling paragraph 4(a)(ii) of the Policy and paragraph 3(b)(ix)(2) of the Rules.

Complainant urges that the disputed domain name was registered and is being used in bad faith. Complainant contends that Respondent evidently knew about the existence of Complainant's rights to the YGGDRASIL trademark at the time of the registration of the disputed domain name, simply from the composition of the disputed domain name and also by analyzing that the disputed domain name led to website copying Complainant's own website. Thus, Respondent exercised a willful blindness of Complainant's earlier rights.

Complainant argues that Respondent is unfairly and intentionally taking advantage of, and exploiting without authorization, the reputation and distinctiveness of Complainant's trademark YGGDRASIL to attract Internet users to the website related to the disputed domain name at issue creating a likelihood of confusion since the disputed domain name resolves to a scam website, which reproduces Complainant's official website.

Additionally, Complainant highlights that the configuration of MX (Mail Exchange) records for the domain name is another indication intention of the will to use the disputed domain name for illegal purposes.

Furthermore, Complainant notes that Respondent is engaged in a pattern of registering domain names containing Complainant's trademark, such as in *Yggdrasil Malta Limited v. Sheng Kai Lin*, WIPO Case No. [D2024-3918](#), for the dispute of the domain name <yggdrasilgaminggames.com> which resolved to the same type of website in Japanese referring to Complainant and its official games.

Thus, according to Complainant, the requirements for the identification of a bad faith registration and use of the disputed domain name have been fulfilled, pursuant to paragraphs 4(a)(iii) and 4(b) of the Policy and paragraph 3(b)(ix)(3).

Accordingly, Complainant requests transfer of the disputed domain name to Complainant.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

To succeed in a UDRP complaint, Complainant must demonstrate that all the elements listed in paragraph 4(a) of the Policy have been satisfied, as following:

- (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 burden of proving these elements is upon Complainant.

Respondent had 20 days to submit a response in accordance with paragraph 5(a) of the Rules and failed to do so. Paragraph 5(f) of the Rules establishes that if a respondent does not respond to the complaint, in the absence of exceptional circumstances, the panel's decision shall be based upon the complaint.

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 Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

Based on the available record, the Panel finds Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the trademarks YGGDRASIL and YGGDRASIL GAMING are reproduced within the disputed domain name. Accordingly, the disputed domain name <yggdrasilgaminggame.com> is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of the terms "gaming" and/or "game" may bear on assessment of the second and third elements, the Panel finds the addition of such terms do not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

Therefore, based on the available record, 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 a 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegitimate activity, here claimed as impersonating/passing off, can never confer rights or legitimate interests on a respondent, since the disputed domain name resolves to a website which is a copy of Complainant's own website falsely claiming to be the Japanese version of Complainant's services. [WIPO Overview 3.0](#), section 2.13.1.

Based on the available record, Respondent is not entitled to any trademark, trade name, or any other right associated with the disputed domain name. Additionally, Respondent has not been authorized by Complainant to use the YGGDRASIL trademark, and there is no commercial relationship between the Parties. Respondent is not recognized by the disputed domain names, and the Panel notes that Respondent is making an illegitimate use of the disputed domain name. In light of these circumstances, the Panel finds that no rights or legitimate interests can be found on behalf of Respondent.

Accordingly, 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 notes that Respondent has registered disputed domain name that are confusingly similar to Complainant's trademark YGGDRASIL, as explained above in 6.A. Also, based on the available record, Respondent has no affiliation with Complainant and the trademark YGGDRASIL, nor has it sought authorization or a license to utilize the referred trademarks. Respondent also does not own any trademarks containing the term YGGDRASIL or any relating terms.

Furthermore, considering Complainant's significant worldwide reputation in the online gambling business, Respondent evidently knew or should have known of the existence of Complainant's prior trademark rights and domain names, which were matters of public record, before registering the disputed domain name. Other than this, the disputed domain name resolved to a website, which was a copy of Complainant's website, thus Respondent must have had knowledge of Complainant's pre-existing rights to the YGGDRASIL trademark and should also have known about Complainant's domain names such as <yggdrasilgaming.com>.

The registration of the disputed domain name was carried out by Respondent, who had the responsibility to verify the existence of the referred trademarks. Therefore, considering the use of the disputed domain name, it may be inferred that the registration of the disputed domain name was intentionally done with the aim of profiting from the reputation of Complainant's trademarks in question. This action creates a likelihood of confusion among Internet users, specially taking into consideration Respondent's use of the disputed domain name.

On the website which purports form the disputed domain name, Respondent showcases a copy of Complainant's official website falsely claiming to be the Japanese version of Yggdrasil Gaming with reference to Yggdrasil Japan. Therefore, the Panel understands that the use by Respondent, according to evidence brought by Complainant, indicates Respondent's intention to impersonate Complainant's business to try and obtain undue commercial advantage via the provocation of a confusing similarity.

Panels have held that the use of a domain name for illegitimate activity (i.e., impersonation/passing off, or other types of fraud, in this case), constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

In addition, the market segment in which Complainant operates must be considered, since Complainant's reputation lies on its concerns on responsible gambling and on licenses that derive from that, which means that Respondent's illegitimate use of the YGGDRASIL trademark poses a risk of tarnishing Complainant's reputation and business.

Finally, Complainant highlighted that this is not the first instance that Respondent has engaged in the registration of domain names containing Complainant's trademark. In 2024, Complainant filed a Complaint which became *Yggdrasil Malta Limited v. Sheng Kai Lin*, WIPO Case No. [D2024-3918](#), requesting the transfer of the domain name <yggdrasilgaminggames.com>. The panel responsible stated that the domain name was registered and used in bad faith. See below:

"In the present case, the Panel notes that Respondent registered the disputed domain name – which comprises Complainant's fanciful trademark and a word descriptive of Complainant's business – for no conceivable reason other than to target Complainant's trademark. This is particularly evident given the substantial goodwill associated with the trademark and Complainant's strong reputation as an established provider of online gaming solutions. Indeed, a search for Complainant's trademark on popular Internet search engines prominently displays its services. [...]"

The Panel finds that Complainant has established the third element of the Policy."

Therefore, the Panel finds that the circumstances of the present case allow for a finding of bad faith in the registration and use of the disputed domain name, considering that (i) Respondent would likely obtain commercial gain by using a confusingly similar name to Complainant's trademark; (ii) Respondent was most likely aware of Complainant's rights on the trademark YGGDRASIL, considering specially Respondent's use of the website under the disputed domain name, which aimed to create a likelihood of confusion within Internet users to suggest an affiliation with Complainant; and (iii) the existence of a prior WIPO case involving Respondent and the unfair use of Complainant's YGGDRASIL trademark.

Lastly, the Panel finds it is relevant that Respondent has not provided any evidence of good faith registration or use or otherwise participated in this dispute.

Based on the available record, the Panel finds that 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 <yggdrasilgaminggame.com> be transferred to Complainant.

/Gabriel F. Leonardos/

Gabriel F. Leonardos

Sole Panelist

Date: April 22, 2025