

ADMINISTRATIVE PANEL DECISION

Emphasis Services Limited v. Tran Manh Ha, 188BET
Case No. D2025-1155

1. The Parties

The Complainant is Emphasis Services Limited, Turks and Caicos Islands, United Kingdom, represented by Tsibanoulis & Partners Law Firm, Greece.

The Respondent is Tran Manh Ha, 188BET, Viet Nam.

2. The Domain Name and Registrar

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

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 20, 2025. On March 20, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On March 21, 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) and contact information in the Complaint. The Center sent an email communication to the Complainant on March 21, 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 amendment to the Complaint on March 21, 2025.



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 March 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was April 13, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 16, 2025.


The Center appointed Peter Burgstaller as the sole panelist in this matter on April 25, 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 provides online gaming and betting services under the mark DAFABET (Annex 4 to the Complaint). It owns the following trademark registrations containing the mark DAFABET,

- European Union trademark registration DAFABET (word), Reg. No. 012067088, registered February 17, 2014;
- European Union trademark registration  (figurative), Reg. No. 012067138, registered February 17, 2014; and
- United Kingdom trademark registration  (figurative), Reg. No. UK00912067138, registered February 17, 2014 (Annexes 5a – 5c to the Complaint).

The Complainant further owns the domain name <dafabet.com>, registered February 19, 2009, which addresses the main website for online gaming and betting under the mark DAFABET (Annexes 4 and 6 to the Complaint).

The disputed domain name was registered March 26, 2020 (Annex 1 to the Complaint). At the time of filing the Complaint the disputed domain name resolved to a website with similar design to the Complainant's website and providing information about the DAFABET services and showing a very similar version of the Complainant's logo  (Annexes 7 and 7a to the Complaint). The website claims to be "Dafabet's official and trusted login link in Vietnam on both mobile and computer".

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 it owns several trademark registrations for the distinctive mark DAFABET and the disputed domain name displays the DAFABET trademark identically. Therefore, the Complainant notes that the disputed domain name is identical to the Complainant's DAFABET mark.

Further, the Complainant asserts, that it has never assigned, granted, licensed, sold, transferred, or in any way authorized the Respondent to register or use the DAFABET trademark in any manner; moreover, the Respondent is not known under the disputed domain name and is not using it in connection with a bona fide offering of goods or services; hence, the Respondent does not have any rights or legitimate interests in the disputed domain name.

The Complainant also notes that the disputed domain name was registered years after the Complainant has established rights in the mark DAFABET and the Respondent was aware of the Complainant and its rights in the mark DAFABET when registering the disputed domain name, especially because of the identical use of the Complainant's distinctive mark DAFABET and the use of the generic Top-Level Domain ("gTLD") ".bet" which refers to the Complainant's business.

Further, the Complainant contends that the disputed domain name resolved to a website where the Complainant's trademark and logo were prominently displayed together with information suggesting that the website is an official website of the Complainant.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, the Complainant must prove that:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests with respect to 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 identity or 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 Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant submitted evidence that establishes rights in the mark DAFABET. [WIPO Overview 3.0](#), section 1.2.1.

The disputed domain name <dafabet.bet> is identical to the trademark of the Complainant since the Complainant's mark DAFABET is included in the disputed domain name in its entirety without pre-/suffix. [WIPO Overview 3.0](#), section 1.7.

It has also long been held that gTLDs are generally disregarded when evaluating the identity or confusing similarity of a disputed domain name. [WIPO Overview 3.0](#), section 1.11.

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 the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in the 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.

Having reviewed the 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 Complainant's trademark DAFABET is distinctive and it is inconceivable that the Respondent would not have been aware of it when registering the disputed domain name; especially putting emphasis on the fact, that the Respondent registered the disputed domain name under the gTLD ".bet" which directly refers to the Complainant's business.

The Complainant expressly denies there being any relationship between itself and the Respondent. The Complainant also notes that the disputed domain name is not being used for a bona fide offering of goods or services: The disputed domain name resolves to an unauthorized website with information about the Complainant, indicating that it is the Complainant's official login link and displaying a very similar logo to the Complainant's logo and trademark and thereby pretends that it is the Complainant's website.

The composition of the disputed domain name carries a high risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

The Respondent did not reply to the Complainant's contentions and hence has not rebutted the Complainant's prima facie showing.

Based on the available record, 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 Complainant provided evidence which demonstrates that it has rights in the mark DAFABET and it has used this mark in business for years, with a strong online presence and long before the disputed domain name was registered.

It is inconceivable for this Panel that the Respondent registered and used the disputed domain name without knowledge of the Complainant's rights, which leads to the necessary inference of bad faith. [WIPO Overview 3.0](#), section 3.2.2.

This finding is supported by the fact that the Respondent identically used the Complainant's registered trademark in the disputed domain name and registered the disputed domain name under the gTLD ".bet" which directly refers to the business of the Complainant. Finally, a simple search and/or screen registrations against available online databases would have shown the Complainant and/or its mark. [WIPO Overview 3.0](#), section 3.2.3.

Such finding is furthermore reinforced by the fact that the disputed domain name resolved to a website with a similar web design to the Complainant's website and where the Complainant's mark and logo were prominently displayed.

Therefore, the Panel finds that the Respondent knew the Complainant's trademark and registered the disputed domain name targeting the Complainant.

The disputed domain name was also used in bad faith: In the present case, the Panel notes that the Respondent provided, without authorization by the Complainant, a website under the disputed domain name with a similar design to the Complainant's website and with information about the services of the Complainant under the Complainant's mark and logo.

By doing this, the Respondent impersonated the Complainant's website and disrupted its business as well as intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark; this undoubtedly constitutes bad faith use.

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 disputed domain name <dafabet.bet> be transferred to the Complainant.

/Peter Burgstaller/

Peter Burgstaller

Sole Panelist

Date: May 6, 2025