

## **ADMINISTRATIVE PANEL DECISION**

Lottoland Holdings Limited v. Yun Xing  
Case No. D2025-1217

### **1. The Parties**

The Complainant is Lottoland Holdings Limited, Gibraltar, United Kingdom, represented by Brimondo AB, Sweden.

The Respondent is Yun Xing, Hong Kong, China.

### **2. The Domain Name and Registrar**

The disputed domain name <lottolands.bet> is registered with GoDaddy.com, LLC (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on March 25, 2025. On March 26, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On the same March 26, 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 (Information concealed / Registration Private, Domains By Proxy, LLC) and contact information in the Complaint.

The Center sent an email communication to the Complainant on April 2, 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 April 7, 2025.

The Center verified that 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 April 16, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 6, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 8, 2025.

The Center appointed Mario Soerensen Garcia as the sole panelist in this matter on May 14, 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 Lottoland Holdings Limited, a company established in 2013 and specialized in offering online betting services on the outcomes of over 30 international lottery draws. The Complainant operates in 15 markets and employs over 400 people.

The Complainant is the owner of several trademark registrations around the world on LOTTOLAND, including Australia registration No. 1609378, mark LOTTOLAND, registered on March 4, 2014, in classes 35, 41 and 42.

The Complainant is also the owner of different domain names including its trademark LOTTOLAND, such as <lottoland.com>, created in 1998.

The Respondent was identified as Yun Xing, reportedly located in Hong Kong, China.

The disputed domain name was registered on December 30, 2024. It currently resolves to a website offering services similar to the Complainant's activities, i.e. casino and betting services and displaying the Complainant's trademark.

#### **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 disputed domain name is almost identical to the Complainant's trademark, and the additional letter "s" does not prevent a finding of confusing similarity;
- The Respondent has no rights or legitimate interests in respect of the disputed domain name, there is no evidence that the Respondent owns any trademark that reflects the disputed domain name and there is no evidence that the Respondent has used the disputed domain name in connection with bona fide offering of goods or services;
- The Respondent knew or at least should have known about the Complainant's trademarks and registered the disputed domain name in bad faith, pretending to be the Complainant;
- The website linked to the disputed domain name offers services similar to the Complainant's registered trademarks (casino and betting services) and the Respondent attempts to attract Internet users for its own commercial gain;
- The Respondent registered the disputed domain name without revealing his/her name and by keeping all the data private and concealed.

The Complainant requests the transfer of the disputed domain name.

##### **B. Respondent**

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

## 6. Discussion and Findings

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to the trademarks or service marks in which the Complainant has rights;
- (ii) the 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.

### 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 name. 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. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name with the additional letter "s" at the end. Accordingly, the disputed domain name is confusingly similar 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

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 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 Complainant provided evidence that the Respondent is using its trademark in the disputed domain name and on the associated website for offering services similar to the Complainant's own services, which does not amount to a bona fide offering.

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.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

In the present case, the Panel notes that the Respondent obviously knew about the Complainant, its trademarks and activities and registered the disputed domain name which adds one letter "s" to the Complainant's own domain name in bad faith to offer similar casino and betting services and take undue advantage of the likelihood of confusion with the Complainant's trademark for its own commercial gain.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

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 <lottolands.bet> be transferred to the Complainant.

*/Mario Soerensen Garcia/*

**Mario Soerensen Garcia**

Sole Panelist

Date: May 28, 2025