

ADMINISTRATIVE PANEL DECISION

Tonks LTD v. Adrio Bianchi
Case No. D2025-1324

1. The Parties

Complainant is Tonks LTD, Cyprus, represented by SafeNames Ltd, United Kingdom.

Respondent is Adrio Bianchi, Italy.

2. The Domain Name and Registrar

The disputed domain name <linebet1.net> (the “Domain Name”) is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 1, 2025. Also on April 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. That same day, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to Complainant on April 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 April 8, 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 April 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 1, 2025. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 8, 2025.

The Center appointed Harrie R. Samaras as the sole panelist in this matter on May 15, 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, Tonks LTD, is a wholly owned subsidiary of Aspro N.V, that operates internationally as a prominent provider of online gambling services. It owns trademark registrations for LINEBET and design, including: European Union registration nos: 018952983 and 018952940 (both registered March 2, 2024) (the “Mark” or the “LINEBET Mark”). Complainant’s offerings under that Mark predominantly pertain to online slots, live casinos, and over 1,000 sports betting events.

Complainant’s foundational online platform, which was formally established in 2019, can be found at “www.linebet.com”. That platform has seen continued expansion from the outset, receiving over 287,000 user registrations in 2023 from numerous countries. The platform also received an average of more than 293,000 visits per month between November 2024 and January 2025. Complainant also operates its mobile application for download to iOS and Android, which allows customers quick and easy access to its services. And Complainant actively promotes its products and services under the Mark on social media (e.g., Instagram, Facebook, X, Telegram, LinkedIn).

Complainant’s services and mobile application have received media publication and review including publication on the Casino Guru website and accruing a 4.5-star rating on Trustpilot with more than 550 reviews overall. Complainant has received the “Excellence in Sports Betting Innovation 2024” award at SiGMA’s Europe B2C Awards in 2024. Complainant operates as an official sports betting partner in Africa and MENA, as well as an official principal partner for cricket team Bulawayo Brave Jaguars. Complainant operates an affiliate program from “www.linebet.partners”, which has allowed over 20,000 affiliate users to generate revenue for referring customers as well as earning extra bonuses.

The Domain Name was registered on February 11, 2025. It resolves to a website (the “Website”) that features both the Mark (LINEBET and design) and the LINEBET term alone throughout the Website to offer sports betting and online casinos. Furthermore, the Website has the same look and feel of Complainant’s website including using the same color combinations, layout, and some of the tabs (e.g., “Live Casino”, “Esport[s]”) as Complainant’s website.

5. Parties’ Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Name.

Notably, because of Complainant’s trademark registrations for LINEBET and design, Complainant has “rights in a mark” for further assessment as to confusing similarity” because those trademark registrations clearly and prominently display the LINEBET Mark as a textual element. The only design element consists of an angular device below the textual element. The design element does not comprise the dominant portion of the Mark, nor does it overtake the textual elements in prominence. In addition, the textual elements of the Mark have not been disclaimed.

The Domain Name is confusingly similar to Complainant’s LINEBET Mark because it consists of the LINEBET Mark together with the number “1”. Such an addition is not sufficient to distinguish the Domain Name from the Mark. The dominant portion of the Domain Name is the Mark and Internet users would reasonably believe, upon seeing the Domain Name, that it is connected with the LINEBET rightsholder. With

respect to the generic Top-Level Domain “.net” featured in the Domain Name, this should be disregarded as it is a standard registration requirement.

Respondent does not have any trademark rights in the LINEBET Mark or any other term used in the Domain Name. There is also no evidence that Respondent retains unregistered trademark rights to LINEBET or any other term used in the Domain Name. Complainant has not given Respondent a license to use a domain name featuring the LINEBET Mark. Furthermore, Respondent has not used, nor prepared to use, the Domain Name in connection with a bona fide offering of goods or services. It currently resolves to a website that impersonates Complainant’s Mark, including use of the official LINEBET logo, purporting to provide access to Complainant’s services. The Website features links for “Registration” and “Download App”. Both links redirect to casino or betting offerings that directly compete with Complainant’s services. Complainant notes that, when accessing the Domain Name from India, the aforementioned links redirect users to a LINEBET site. This does not give rise to any rights or legitimate interests on part of Respondent because: (i) the Domain Name itself does not contain a geographical indicator which targets the Indian market, many online users accessing the Website from other jurisdictions would still be redirected to competing sites; (ii) the control of the redirection is in the hands of Respondent, who could change the redirection to competing sites in India; (iii) even when considering Respondent as an “affiliate” of Complainant, Respondent would violate Complainant’s affiliate Terms and Conditions which explicitly prohibits “contextual advertising containing the Linebet brand name, or to create websites, whose domain names contain the Linebet brand name”.

Respondent is not commonly known by the terms “linebet” or “linebet1”. Therefore, there is no plausible justification for the registration and use of the Domain Name other than to capitalize on the goodwill and reputation associated with the Mark.

Respondent is not making a legitimate noncommercial or fair use of the Domain Name, rather, it has intended to make a commercial gain by misleadingly diverting consumers to competing offerings.

The Domain Name reproduces the LINEBET Mark in its entirety, with only minimal modification. On first glance, it is being used to advertise LINEBET branded gambling services, but instead drives consumers away from Complainant’s offerings. While in India, the website redirects users to a LINEBET website, but Respondent nevertheless derives commercial gain by funneling Internet traffic through its own website, by virtue of Internet users being confused as to the source of the Domain Name. Respondent does not prominently disclaim any affiliation with Complainant, but instead capitalizes on the likelihood of confusion with the Mark to redirect users towards third-party services, including those in direct competition with Complainant.

Complainant’s trademark registrations in 2024 (see above) predate the creation date of the Domain Name in February 2025. The Mark has gained goodwill in the sector of online gambling services and it is known from other sources (e.g., the top results from performing a search of the Mark on the Google platform clearly pertain to Complainant’s business). Using the Domain Name to host a site laden with Complainant’s Mark, services, and official logo corroborates Respondent’s prior knowledge and intent to target the LINEBET Mark.

Respondent’s use of the Domain Name constitutes an attempt to capitalize on the reputation of Complainant’s Mark to derive commercial gain from confusion as to the source of the advertised services. Respondent does not make any attempt to prominently explain its independence from, or disclaim any implied affiliation with, Complainant. On the contrary, Respondent is attempting to capitalize on the ensuing likelihood of confusion experienced by Internet users to redirect traffic towards competing services. The “About Us” page, for example, uses language such as “we” or “our” when referring to LINEBET services (e.g., “our platform works with AS Monaco to create a fun betting and gaming environment. We have a Curacao license (No. 8048/JAZ2016-053) and make it easy to register with one click. With over 400,000 users, our site is also available in Hindi to reach more players”). Respondent likely gains commercial revenue through web traffic and redirections, thus benefitting from consumer confusion. There would be little other plausible rationale for maintaining the Domain Name or website.

Even when considering Respondent's use when accessed from India, the Website constitutes a lingering threat to Complainant given that it extensively uses the LINEBET Mark in both the Domain Name and the Website. Respondent has already shown a propensity to direct users in other jurisdictions to competing offerings, and Complainant cannot ensure that the information about their offerings and regulatory standing displayed on the website can be kept up-to-date. Thus, Respondent's impersonation of Complainant's website may reasonably cause commercial harm to Complainant. Additionally, when considering that Respondent may be part of Complainant's affiliate scheme, Respondent has failed to comply with the express prohibition on the use of the LINEBET Mark in Complainant's Terms and Conditions.

B. Respondent

Respondent did not reply to Complainant's contentions.

6. Discussion and Findings

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

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. To the extent that design elements would be incapable of representation in domain names, these elements are largely disregarded for purposes of assessing identity or confusing similarity under the first element. [WIPO Overview 3.0](#), section 1.10. In this case, the design element in the Mark does not comprise the dominant portion of the Mark, nor has the textual element of the Mark been disclaimed.

The entirety of the Mark is reproduced within the Domain Name with the addition of the number "1", which does not prevent a finding of confusing similarity between the Domain Name and the Mark. Accordingly, the Domain Name is confusingly similar to the Mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.8.

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 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 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 Domain Name such as those enumerated in the Policy or otherwise.

There is no evidence that Respondent has any trademark rights in the LINEBET Mark and Complainant has not given Respondent authorization to use the Mark for any purpose including in the Domain Name. Also, there is no evidence Respondent is commonly known by the terms "linebet" or "linebet1", thus there is no plausible justification for Respondent registering the Domain Name other than to capitalize on the goodwill and reputation associated with the Mark. Indeed, that is just what Respondent is doing, which is not a bona fide use of the Domain Name. As described above, the Domain Name resolves to the Website that uses the Mark (LINEBET and design) and the LINEBET term alone throughout the Website to offer the same services as Complainant, namely sports betting and online casinos. The Website has the same look and feel of Complainant's website including using the same color combinations, layout, and some of the tabs as Complainant's website. The Website features links for "Registration" and "Download App". Complainant has noted that, when accessing the Domain Name outside India, both links redirect users to casino or betting offerings that directly compete with Complainant's services, while accessing the Domain Name from India, these links redirect users to a LINEBET site. However, because Respondent maintains control of the redirection, Respondent could change the redirect to competing sites in India. Respondent's use of the Domain Name is also not a legitimate noncommercial or fair use of it, rather, Respondent has intended to make commercial gain by misleadingly diverting consumers to potential competing offerings.

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 chose a domain name that incorporates in its entirety Complainant's LINEBET Mark merely adding the number "1". Indeed, the Domain Name is the same one that Complainant uses only without the number "1" and with a different Top-Level Domain. Respondent registered the Domain Name well after Complainant began using the Mark and established a reputation internationally in online gambling through its website, mobile app, social media, third-party publicity, and its affiliate program. Moreover, as described above, the Domain Name resolves to the Website that not only uses the Mark (LINEBET and design) and the LINEBET term alone throughout, but it also mimics Complainant's website and Respondent offers competitive sports betting and online casinos. From this uncontroverted evidence the Panel concludes that it is more likely than not that Respondent knew of the Mark and Complainant's rights in the Mark before registering the Domain Name.

The evidence of record also establishes that Respondent is using the Domain Name to intentionally attempt to attract, for commercial gain, Internet users by creating a likelihood of confusion with Complainant's Mark.

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 Domain Name <linebet1.net> be transferred to Complainant.

/Harrie R. Samaras/

Harrie R. Samaras

Sole Panelist

Date: May 28, 2025