

ADMINISTRATIVE PANEL DECISION

TONKS LTD v. Nguyen Quoc Vu Nguyen Quoc Vu
Case No. D2025-1369

1. The Parties

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

The Respondent is Nguyen Quoc Vu Nguyen Quoc Vu, Viet Nam.

2. The Domain Name and Registrar

The disputed domain name <linebetpartner.com> is registered with Porkbun LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 4, 2025. On April 4, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 6, 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 (Whois Privacy, Private by Design, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 8, 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 9, 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 the Respondent of the Complaint, and the proceedings commenced on April 15, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 5, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 13, 2025.

The Center appointed Alexander Duisberg as the sole panelist in this matter on May 21, 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 provider of online gambling services operating under the LINEBET brand. Its offerings primarily include online slots, live casino games, and sports betting events. Established in 2019, the Complainant's online platform is the foundation of its business. The Complainant operates its principal platform through the domain name <linebet.com>, which it uses to provide global access to its gambling services. The 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 ("LINEBET Affiliate Program"). The Complainant is the owner of numerous LINEBET trademark registrations ("Mark"), including:

- the European Union Trademark Registration for LINEBET (figurative) No. 018952983, registered on March 2, 2024;
- the European Union Trademark Registration for LINEBET (figurative) No. 018952940, registered on March 2, 2024;
- the European Union Trademark Registration for LINEBET (figurative) No. 018952911, registered on March 2, 2024 and
- the European Union Trademark Registration for LINEBET (figurative) No. 018953504, registered on March 2, 2024.

Further to the aforementioned Mark registrations, the Complainant incorporates its Mark into its logo further distinguishing its offerings from others. The Complainant's logo and Mark is also featured prominently on the Complainant's social media, where it actively promotes its products and services online under the LINEBET name.



The disputed domain name <linebetpartner.com> was registered on September 17, 2024.

On February 21 and February 28, 2025, the Complainant's representative sent cease-and-desist letter notices to the Respondent. No response was received.

According to the Complainant's un rebutted evidence, the disputed domain name resolves to a website that impersonates the Complainant and its offerings by using the Mark. The website purports to offer a LINEBET partner program in Bangladesh for Internet users. The disputed domain name lacks any disclaimer about its association with the Complainant. The "About Us" page of the Respondent uses language such as "*At Linebet Partner*" and "*Our Affiliate Program*". This further suggests that the website of the Respondent is operated by the Complainant. The website of the Respondent features links for "*Registration*" and "*Download*". Through these links, the user is redirected through several URLs to a website operated by the Complainant, which offers sign-up services to the real LINEBET Affiliate Program. The Respondent has not been authorised by the Complainant to redirect traffic to their website through a site that impersonates the Complainant Mark. One of the URLs on the Respondent's website contains an affiliate link. The Complainant's Affiliate Terms and Conditions explicitly prohibits "*contextual advertising containing the Linebet brand name, or to create websites, whose domain names contain the Linebet brand name*". According to the Complainant, the Respondent captures traffic by creating an impression that the disputed

domain name is endorsed by the Complainant, thus misleading Internet users as to the source of the disputed domain name.

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 confusingly similar to the Mark. The disputed domain name incorporates the entirety of the Mark with the addition of the term "partner". The Complainant asserts that the addition of the term "partner" does not dispel the confusing similarity between the Complainant's Mark and the disputed domain name. The addition of this term reinforces the connection to the Complainant, given that the Complainant's affiliate program is known as "Linebet Partners". The Complainant states that the Respondent intends to impersonate the Complainant by registering a domain name that matches the Complainant's affiliate program website to mislead Internet users who intend to visit the Complainant's website for their affiliate program.

The Complainant asserts that the Complainant has presented a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent does not have any trademark rights to the term "linebet" or any other term used in the disputed domain name. The Respondent has not been licensed by the Complainant to use domain names that feature its LINEBET mark, for which it holds rights.

The Complainant states that the Respondent registered the disputed domain name in bad faith. The Complainant contends that the Respondent has intentionally attempted to attract, for commercial gain, online users by creating a likelihood of confusion with the Complainant's Mark and offerings. The use of the disputed domain name to host an impersonation site gives Internet users a false impression that the site is controlled or authorised by the Complainant. The Respondent does not make any attempt to prominently disclaim its relationship (or lack thereof) to the Complainant. The Respondent generates commercial gain by attracting Internet users to the disputed domain name and deceiving them as to the source of the website.

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 each of the following:

- (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 in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

The Panel acknowledges the consensus view that the Respondent's default to respond to the Complaint does not automatically result in a decision in favor of the Complainant. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 4.3.

Although the Panel may draw appropriate inferences from the Respondent's default (e.g., to regard factual allegations which are not inherently implausible as being true), paragraph 4 of the Policy requires the Complainant to support its assertions with actual evidence in order to succeed in the UDRP proceeding. In view of the Panel, the Complainant has established sufficient evidence in its favor in the case at hand.

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 Mark and the disputed domain name. [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 Complainant's registered Marks satisfy the first requirement for establishing "rights" in a mark. The Complainant owns registered figurative trademarks for LINEBET in the European Union jurisdictions. The trademark registrations listed above prominently display the term "linebet" as a key textual element. The only design aspect is an angular device beneath the text. This design element does not diminish the prominence of the text or serve as the primary feature of the Mark. Furthermore, the textual components of the Mark have not been disclaimed.

It is established that the generic top-level domain ".com" is a standard registration requirement and should be disregarded under the first element test (see *Bentley Motors Limited v. Domain Admin / Kyle Rocheleau, Privacy Hero Inc.*, WIPO Case No. [D2014-1919](#)). [WIPO Overview 3.0](#), section 1.11.1.

Although the addition of other terms [here, "partner"] may bear on assessment of the second and third elements, the Panel finds the addition of such term does 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.

The Panel finds the disputed domain name confusingly similar to the Complainant's Mark for the purposes of satisfying paragraph 4(a)(i) of the Policy. The addition of other terms (whether descriptive, geographical, pejorative, meaningless, or otherwise) do not prevent a finding of confusing similarity. [WIPO Overview 3.0](#), section 1.8.

The disputed domain name incorporates the entirety of the Mark with the addition of the term "partner. Numerous UDRP decisions have confirmed that a disputed domain name is confusingly similar to a Complainant's Mark where the disputed domain name incorporates the Complainant's Mark in its entirety (see *Ansell Healthcare Products Inc. v. Australian Therapeutics Supplies Pty, Ltd.*, WIPO Case No. [D2001-0110](#); *eBay Inc. v. ebayMoving / Izik Apo*, WIPO Case No. [D2006-1307](#); *Compagnie Générale des Etablissements Michelin v. Christian Viola*, WIPO Case No. [D2012-2102](#); *The Chancellor, Masters and Scholars of the University of Oxford v. Oxford College for PhD Studies*, WIPO Case No. [D2015-0812](#); *Banca Mediolanum S.p.A. v. Domains By Proxy, LLC / Marzia Chiarello*, WIPO Case No. [D2020-1955](#); *Skyscanner Limited v. Host Master, Transure Enterprise Ltd*, WIPO Case No. [D2021-1948](#); *Skyscanner Limited v. Wei Meng Chan*, WIPO Case No. [D2023-1073](#); *Aldo Group International GmbH v. Zhang Qiang*, WIPO Case No. [D2024-1311](#)).

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. (see *Skipton Building Society v. skiptonassetmanagement.com*, Private Registration, WIPO Case No. [D2011-0222](#); *Wal-Mart Stores, Inc. v. WalMart Careers, Inc.*, WIPO Case No. [D2012-0285](#); *B-Boy TV Ltd v. bboytv.com c/o Whois Privacy Service / Chief Rocka LTD, formerly named BreakStation LTD.*, WIPO Case No. [D2012-2006](#); *OSRAM GmbH. v. Mohammed Rafi/Domain Admin, Privacy Protection Service INC d/b/a PrivacyProtect.org*, WIPO Case No. [D2015-1149](#); *Streamotion Pty Ltd v. Ovi Khan*, WIPO Case No. [D2022-3784](#); *Canva Pty Ltd v. JOSE VALDIR DE LIMA*, WIPO Case No. [D2023-1736](#); *Evolution AB v. tom scholes*, WIPO Case No. [D2023-2030](#)).

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’s Mark registrations predate the Respondent’s registration of the disputed domain name. There is no evidence in the case record that the Complainant has licensed or otherwise permitted the Respondent to use the Mark or to register domain names incorporating this Mark. The Respondent has not been authorised by the Complainant to redirect traffic to their website through a site that impersonates the Complainant Mark. There is also no evidence to suggest that the Respondent has been commonly known by the disputed domain name. The mere ownership of the disputed domain name itself does not confer a right or legitimate interest on the Respondent (see *National Football League Properties, Inc. and Chargers Football Company v. One Sex Entertainment Co., a/k/a chargergirls.net*, WIPO Case No. [D2000-0118](#)).

The Respondent captures traffic by creating an impression that the disputed domain name is endorsed by the Complainant, thus misleading Internet users as to the source of the disputed domain name. Through the “Registration” and “Download” prompts, the user is redirected through several links, one of which contains a string indicating the presence of an affiliate link. Therefore, the Respondent is likely generating commercial gain from each redirection from the disputed domain name. It has been previously held that where a “respondent is attracting traffic by creating confusion among complainant’s customers, by using a domain name that is confusingly similar to the complainant’s trademark, and re-directing such traffic to complainant’s site for a profit”, such use is not a legitimate non-commercial use (see *Paragon Gifts, Inc. v. Domain.Contact*, WIPO Case No. [D2004-0107](#); *Fulham Football Club (1987) Limited, Tottenham Hotspur Public Limited, West Ham United Football Club PLC, Manchester United Limited, The Liverpool Football Club And Athletic Grounds Limited v. Domains by Proxy, Inc./ Official Tickets Ltd*, WIPO Case No. [D2009-0331](#)). Furthermore, the addition of the term “partner” within the disputed domain name reinforces the alleged connection to the Complainant, given that the Complainant’s affiliate program is known as “Linebet Partners”.

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 Panel concludes that the Respondent has no rights or legitimate interests in the disputed domain name.

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 the Respondent has intentionally attempted to attract, for commercial gain, online users by creating a likelihood of confusion with the Complainant's Mark and offerings. The use of the disputed domain name to host an impersonation site gives Internet users a false impression that the site is controlled or authorised by the Complainant. Through the consumer confusion, the Respondent likely generates commercial revenue through web traffic and redirections, profiting from the Mark.

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.

Panels have held that the use of a domain name for illegitimate activity, here claimed passing off, constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. 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 Complainant's rights in the Mark predate the registration of the disputed domain name. The Panel finds that the Respondent was, or should have been, aware of the Complainant's Mark at the time of registration. It has been proven to the Panel's satisfaction that the Complainant's Mark is known and unique to the Complainant. Thus, the Respondent could not reasonably ignore the reputation of goods or services under this Mark. Therefore, the Panel finds that the Respondent registered the disputed domain name with the expectation of taking advantage of the reputation of the Mark (see *SembCorp Industries Limited v. Hu Huan Xin*, WIPO Case No. [D2001-1092](#); *Maori Television Service v. Damien Sampat*, WIPO Case No. [D2005-0524](#); *eBay Inc. v. Renbu Bai*, WIPO Case No. [D2014-1693](#); *Nutricia International BV v. Eric Starling*, WIPO Case No. [D2015-0773](#)).

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 <linebetpartner.com> be transferred to the Complainant.

/Alexander Duisberg/

Alexander Duisberg

Sole Panelist

Date: June 4, 2025