

ADMINISTRATIVE PANEL DECISION

Elec Games C1 Limited v. Antti Eskola, Anes Oy
Case No. D2025-1566

1. The Parties

The Complainant is Elec Games C1 Limited, Malta, represented by Abion AB, Sweden.

The Respondent is Antti Eskola, Anes Oy, Finland.

2. The Domain Name and Registrar

The disputed domain name <netticasino-suomi.com> is registered with 1API GmbH (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 17, 2025. On April 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 29, 2025, the Registrar transmitted by email to the Center its verification response 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 April 29, 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 May 5, 2025.

The Center verified that the Complaint and 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 May 6, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2025. The Respondent sent an email communication to the Center on May 7, 2025.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on June 2, 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 following facts are undisputed.

The Complainant owns and operates online gambling platforms, one of which is Netti Casino (the "Platform"). The Platform operates since 2004 and offers visitors a wide range of gambling options sourced from different game studios online. The Platform is available in English and Finnish. The Complainant is a member of the Entain Group of companies, which has an active business presence in Finland, among other countries.

The Complainant is the owner of multiple trademark registrations for the NettiCasino trademark, including but not limited to the European Union trademark registration for NettiCasino (word) with registration number 010997054, registered on December 26, 2013 for goods and services in in classes 9, 41 and 42 and the European Union figurative trademark registration for NettiCasino with registration number 010997666, registered on March 26, 2013 for goods and services in classes 9, 41 and 42.

The Complainant is also the owner of amongst others the domain name <netticasino.com> which was registered on February 9, 2004 and <netticasino.fi> which was registered on October 5, 2009. These domain names resolve to the Complainant's official website.

The abovementioned registrations predate the registration of the disputed domain name which was registered on February 5, 2025. The disputed domain name resolves to an inactive website.

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 the following.

The disputed domain name is confusingly similar to the NettiCasino trademark. The disputed domain name incorporates the Complainant's trademark in its entirety, followed by the geographical term "Suomi", separated by a hyphen, followed by the generic Top-Level Domain ("gTLD") ".com". "Suomi" is the Finnish name for "Finland". The Entain Group of companies has an active business presence in Finland.

The Respondent has no rights or legitimate interest in respect of the disputed domain name. The Complainant has never granted the Respondent with any rights to use the NettiCasino trademark. The Respondent is not known by the disputed domain name. The Respondent must have known of the NettiCasino trademark or could have known by simple usage of the Google search engine. The Respondent has no registered trademarks for the terms used in the disputed domain name. Moreover, the Respondent had an intention to create association.

The Respondent deliberately chose to include the NettiCasino trademark in the disputed domain name to benefit from the trademark and to confuse Internet users as to the source of the disputed domain name. Such use cannot be considered as a bona fide offering of goods or services nor as legitimate noncommercial or fair use.

The disputed domain name was registered in bad faith and refers back to its earlier arguments. In addition, the Respondent must have had the NettiCasino in mind when registering it and it reflects the Respondent's clear intention to create association, and a subsequent likelihood of confusion.

The disputed domain name is also being used in bad faith. Multiple indicators constitute the bad faith, such as the fact that the disputed domain name comprises the NettiCasino trademark and is being passively held. Furthermore, it is likely that the Respondent is trying to conceal its identity regarding the ownership of the disputed domain name as the contact details of the disputed domain name are covered by a privacy shield in the WHOIS Records.

In reply to the Respondent's Response, the Complainant has – to the extent relevant for this decision - contended the following.

No evidence has been provided to support the claims made by the Respondent as to the use of the disputed domain name. The disputed domain name incorporates the NettiCasino trademark in its entirety. This trademark is not descriptive and is not a Finnish term that is in common use. Furthermore, while the Finnish term "Netti Kasino" would translate to "Online Casino" in English, consumers around the world are unlikely to recognize that this term refers to an online casino in Finnish.

Reference is made to *Elec Games C1 Limited v. Marten Saar, Toprank OU*, WIPO Case No. [D2024-4350](#), *Elec Games C1 Limited v. andika lesmana*, WIPO Case No. [D2024-3401](#), *Elec Games C1 Limited v. Regery Ukraine, Regery Ukraine LLC*, WIPO Case No. [D2025-0728](#), and *Elec Games C1 Limited v. teemu Salminen, Mediainvesting ou*, WIPO Case No. [D2024-3181](#), where the panels respectively held that the NettiCasino trademark is recognizable within the disputed domain names <netticasino.bet>, <nettikasino.ai>, <netticasinobonus.info>, <nettikasinom.com>, <netticasinom.net>, <nettikasinot.ai> and <nettikasinot.bot>.

B. Respondent

The Respondent has informally responded to the Complainant's initial contentions.

In this response the Respondent contends that the Complaint is unfounded and that the disputed domain name is not registered for the purpose of profit or harm. The disputed domain name was registered for neutral and informative contentions in anticipation of changes to the Gambling Act of Finland in 2027. The Respondent states, moreover, that the registration of the disputed domain name has nothing to do with the NettiCasino trademark. Furthermore, there is no likelihood of confusion, as the disputed domain name is purely descriptive and the disputed domain name consists of common words.

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 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. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms here, the geographical term "Suomi", 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 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 to a very limited extent rebutted the Complainant’s prima facie showing contending that the disputed domain name was registered for neutral and informative contentions in anticipation of changes to the Gambling Act of Finland in 2027 and that the registration of the disputed domain name has nothing to do with the NettiCasino trademark, referring to the fact that the disputed domain name is purely descriptive and the disputed domain name consists of common words.

To demonstrate rights or legitimate interests in a domain name, pursuant to paragraph 4(c)(i) of the Policy, a respondent would have to prove that before any notice of the dispute, the respondent’s use of, or demonstrable preparations to use, the domain name or a name corresponds to the domain name in connection with a bona fide offering of goods or services.

The Panel finds that the Respondent has not shown demonstrable use of the disputed domain name. It has just contended that it intended to use it for providing information about changes in the Finnish Gambling Act, but it would have been logical that it would have supported this with its plans that would exist prior to any notice of the dispute. Moreover, the Panel finds the Respondent’s contention not very credible. If the Respondent would have registered a domain name for this purpose it would logically not have combined the Finnish words “netti” and “Suomi” with the English word “casino” instead of the Finnish word “kasino”.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel refers to its considerations under 6.B.

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.

On a balance of probabilities, the Respondent must have been aware of the Complainant and its NettiCasino trademark. For that the Panel takes into consideration that the Respondent resides in Finland and that its contentions for registering the disputed domain name are considered not to be credible, in particular resulting from the somewhat odd composition of the disputed domain name, using in a domain name consisting of two

Finnish words, the English word “casino” rather than the Finnish word “kasino”.

Panels have found that the non-use of a domain name (including a blank or “coming soon” page) would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3.

Furthermore, the Respondent chose to register the disputed domain name under a privacy service most likely to conceal its identity which in the circumstances of this case may be considered as an another indication of bad faith use. [WIPO Overview 3.0](#), section 3.6.

Hence, 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 <netticasino-suomi.com> be transferred to the Complainant.

/Willem J. H. Leppink/

Willem J. H. Leppink

Sole Panelist

Date: June 12, 2025