

ADMINISTRATIVE PANEL DECISION

TONKS LTD v. Antonios Prokopiou
Case No. D2025-1759

1. The Parties

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

The Respondent is Antonios Prokopiou, Cyprus, self-represented.

2. The Domain Names and Registrar

The disputed domain names <linebet-maroc.com> and <telechargerlinebet.com> are registered with Spaceship, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 1, 2025. On May 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 2, 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 Purposes, Privacy service provided by Withheld for Privacy ehf”) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 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 May 6, 2025. On the same date, the Respondent sent an informal communication and provided arguments regarding the merits of the dispute.

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 May 7, 2025. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2025. The Respondent submitted an informal Response on May 6, 2025.

The Complainant requested the suspension of the proceedings on May 9, 2025. On the same date, the Center notified the suspension until June 9, 2025.

On June 12, 2025, the Complainant requested to reinstitute the proceeding and filed a supplemental filing. The proceeding was reinstituted by the Center on July 13, 2025, with the new due date for the Response being July 1, 2025.

The Respondent did not submit a formal Response. The Center accordingly notified the Parties of the commencement of panel appointment process on July 2, 2025.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on July 7, 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 under the brand LINEBET. The Complainant has many registrations for the figurative trademark LINEBET such as:

- European Union Trade Mark no. 018952983, registered on March 2, 2024.
- European Union Trade Mark registration no. 018952940, registered on March 2, 2024.

The disputed domain name <linebet-maroc.com> was registered on May 16, 2024, and resolves to a website in the Arabic language for online betting and gambling. It displays the Complainant's trademark as well as its logo.

The disputed domain name <telechargerlinebet.com> was registered on May 16, 2024, and resolves to a website in French language for online betting and gambling.

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 names.

Notably, the Complainant contends that the disputed domain names are confusingly similar to a trademark or service mark in which the Complainant has rights. The Complainant contends that the trademark registrations it holds prominently display the term LINEBET as a key textual element. The design element does not diminish the prominence of the text. The disputed domain name <linebet-maroc.com> incorporates the Complainant's trademark in its entirety separated by a hyphen and followed by the country name "maroc." The word "maroc", which is French for Morocco, does not eliminate confusing similarity but on the contrary creates an affiliation with the Complainant who has extensive operations in Morocco. The disputed domain name <telechargerlinebet.com> also incorporates the Complainant's trademark in its entirety preceded by the term "telecharger," which does not eliminate confusing similarity and means "download" in English. On the contrary, it further creates a likelihood of confusion given that the Complainant offers an app that can be downloaded. The generic Top-Level-Domain ".com" is a standard registration requirement which may be disregarded.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain names. The Complainant did not grant the Respondent any rights in its trademark. There is no use or preparation to use the disputed domain names in connection with a bona fide offering of goods or services. The disputed domain names are used in order to impersonate the Complainant. Additionally, they direct to

competitors' websites. The Respondent is not making a legitimate noncommercial or fair use of the disputed domain names.

The Complainant contends that the disputed domain names were registered and are being used in bad faith. The Complainant's trademark registration predates the registration of the disputed domain names. An online search returns results pertaining to the Complainant's brand and services. The Complainant's trademark registrations are also available for public access. The Respondent has targeted the Complainant when registering the disputed domain names incorporating the Complainant's trademark with the addition of the terms "maroc" and "telecharger" as the Complainant has extensive operations in Morocco and operates a mobile application. The disputed domain names featured the Complainant's trademark at the period of registration. The Respondent not only had knowledge of the Complainant and its trademark but also tried to impersonate the Complainant. The Respondent did not reply to the cease-and-desist letter sent by the Complainant. The Respondent uses the disputed domain names to create the impression that the resolving websites were controlled or authorized by the Complainant. There is no disclaimer dissociating the Respondent's websites from the Complainant. The disputed domain names direct Internet users to websites of the Complainant's competitors.

The Complainant submitted a Supplemental Filing, in which the Complainant points out that the exchange submitted by the Respondent took place after the registration of the disputed domain names and as such the Complainant had not authorized the registration of the disputed domain names. The Complainant contends that it explicitly stated that no "branded traffic" is allowed. The Complainant never authorized the use of the trademark LINEBET. The Respondent has been hiding his true identity, which is a sign of bad faith.

B. Respondent

The Respondent submitted an informal Response to the Complainant's contentions. In an email dated May 6, 2025, the Respondent states that it has made a deal with the Complainant for branded traffic against a revenue share of 25 percent. The email had four images attached to it reflecting the relevant exchange of communications with a representative of the Complainant.

The Respondent alleged that after two years of business relationship, the Complainant was trying to break the partnership and take away the disputed domain names.

6. Discussion and Findings

The Complainant submitted an unsolicited supplemental filing in reply to the Respondent's informal Response. Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel. In all such cases, panels have repeatedly affirmed that the party submitting or requesting to submit an unsolicited supplemental filing should clearly show its relevance to the case and why it was unable to provide the information contained therein in its complaint or response (e.g., owing to some "exceptional" circumstance). The Panel will admit the Supplemental Filing as it is limited to solely addressing alleged inconsistencies in the Respondent's evidence of the communications between the Parties, which the Complainant could only be made aware of after the submission of the Respondent's Response.

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 names. Accordingly, the disputed domain names are 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, “maroc” and “telecharger”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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

In view of the Panel’s ruling below under the “bad faith” heading, there is no need to address the issue of rights or legitimate interests.

C. Registered and Used in Bad Faith

The Panel observes that prior to the registration of the disputed domain names, the Respondent had an exchange with a representative of the Complainant whereby the latter offered the Respondent 25 percent of the revenue generated from its brand traffic. This exchange took place on March 26, 2024, which is prior to the registration of the disputed domain names on May 16, 2024. Hence, it cannot be said that the Respondent necessarily registered the disputed domain names in bad faith. In this context, the Panel takes note of the fact that the Complainant did not mention this business arrangement in its Complaint and only referred to these communications in the Supplemental Filing, after the Respondent advanced evidence on the informal communications. Moreover, the Complainant’s claims regarding such discussions being after the registration of the disputed domain names does not appear to be supported by either Parties’ evidence, but rather the later communications referenced involved an apparently separate matter of the Complainant’s later attempt to gain control of the disputed domain names.

Accordingly, noting the above inconsistencies and limited evidence in the record of this case, the Panel concludes that the registration of the disputed domain names was not done in bad faith. The evidence suggests at least some degree of approval of the Complainant in view of a business arrangement between the Parties, such that the Panel is unable to determine with certainty that the Respondent had no authority or authorization (express or implied) to register the disputed domain names. Therefore, the Complainant has failed to establish that the disputed domain names were registered in bad faith.

Accordingly, the Panel finds that the Complainant has not established the third element of the Policy.

7. Decision

For the foregoing reasons, the Complaint is denied.

/Nayiri Boghossian/

Nayiri Boghossian

Sole Panelist

Date: July 16, 2025