

ADMINISTRATIVE PANEL DECISION

Tonks Ltd v. Denys Lobusov, Sergey Golovchenko, Artem Kunarenko
Case No. D2025-1779

1. The Parties

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

The Respondents are Denys Lobusov, Ukraine, Sergey Golovchenko, Russian Federation, and Artem Kunarenko, Russian Federation.

2. The Domain Names and Registrars

The disputed domain names <linebetafrica.net>, <linebetapk.info>, <linebet-bangladesh.net>, <linebet-eg.net>, <linebetglobal.com>, and <linebetma.net> are registered with Dynadot Inc (the “First Registrar”). The disputed domain names <linebetalgerie.com>, <linebetalgerie.net>, <linebetar.com>, <linebetbd.net>, <linebeteg.com>, <linebeteg.org>, <linebetke.com>, <linebet-ma.net>, and <linebetsn.com> are registered with Eranet International Limited (the “Second Registrar”). The disputed domain name <linebetmaroc.com> is registered with Nicenic International Group Co., Limited (the “Third Registrar”). The disputed domain name <linebetsomalia.net> is registered with NameCheap, Inc. (the “Fourth Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on May 2, 2025. On May 8, 2025, the Center transmitted by email to the Registrars a request for registrar verification in connection with the disputed domain names. On May 8, May 9, and May 11, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Privacy service provided by Withheld for Privacy ehf et al.) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 12, 2025, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on May 16, 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 Respondents of the Complaint, and the proceedings commenced on May 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 10, 2025. The Respondents did not submit any response. Accordingly, the Center notified the Respondents’ default on June 11, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on June 18, 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. Further Procedural Considerations

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition.

Since the Respondent Denys Lobusov’s mailing addresses are stated to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue.

Having considered all the circumstances of the case, the Panel is of the view that it should. The Panel notes that the Center successfully sent the Written Notice of the Complaint to the Respondent’s physical addresses in Ukraine, but has not yet been successfully delivered. The Panel also notes that the Center sent the Notification of Complaint by email to the Respondent’s at the email addresses as registered with the Registrars and to a postmaster email address as specified by the Rules. The records indicate that the notification email was successfully sent. Furthermore, the Panel notes that the disputed domain names under the Respondent Denys Lobusov’s name were registered in 2023 to 2025, during the international conflict, suggesting that the Respondent is able to access Internet, maintain control of the disputed domain name, and should have received at least electronic notice of this proceeding.

However, it is noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that the Respondent Denys Lobusov registered and has used the disputed domain names in bad faith and with the intention of unfairly targeting the Complainant’s goodwill in its trademark.

The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceeding takes place with due expedition, the Panel will proceed to a Decision accordingly.

5. Factual Background

The Complainant operates an online gambling platform under the LINEBET trademark. The Complainant’s platform (“www.linebet.com”) is available in 62 languages, having received an average of 293,300 visits per month between November 2024 and January 2025 (Annex 7 to the Amended Complaint).

The Complainant is the owner of the following trademark registrations for LINEBET (Annex 13 to the Amended Complaint):

- European Union Trademark Registration No. 018952983, in classes 35, 41, and 42, registered on March 2, 2024; and

- European Union Trademark Registration No. 018952940, in classes 35, 41, and 42, registered on March 2, 2024; and
- European Union Trademark Registration No. 018952911, in classes 35, 41 and 42, registered on March 2, 2024; and
- European Union Trademark Registration No. 018953504, in classes 35, 41 and 42, registered on March 2, 2024.

The disputed domain names were registered on and are presently used in connection with:

Disputed Domain Name	Registration Date	Present Use
<linebetafrica.net>	April 16, 2024	Website displaying information on the Complainant's platform.
<linebetalgerie.com>	April 1, 2025	Website blocked due to fraud risk.
<linebetalgerie.net>	April 1, 2025	Parked webpage without active content.
<linebetapk.info>	July 1, 2024	Website displaying information on the Complainant's platform.
<linebetar.com>	April 4, 2024	Website displaying information on the Complainant's platform.
<linebet-bangladesh.net>	July 1, 2024	Website displaying information on the Complainant's platform.
<linebetbd.net>	June 22, 2023	Website displaying information on the Complainant's platform.
<linebeteg.com>	March 12, 2024	Website displaying information on the Complainant's platform.
<linebet-eg.net>	August 30, 2024	No active webpage.
<linebeteg.org>	August 30, 2024	Website displaying information on the Complainant's platform.
<linebetglobal.com>	April 16, 2024	No active webpage.
<linebetke.com>	November 3, 2023	Website displaying information on the Complainant's platform.
<linebet-ma.net>	August 30, 2024	Website displaying information on the Complainant's platform.
<linebetma.net>	July 9, 2024	Website displaying information on the Complainant's platform.
<linebetmaroc.com>	July 9, 2024	Website displaying information on the Complainant's platform.
<linebetsn.com>	November 3, 2023	Website displaying information on the Complainant's platform.
<linebetsomalia.net>	November 3, 2023	Website displaying information on the Complainant's platform.

6. 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 asserts to have founded its online platform in 2019, which has continued to operate under the LINEBET trademark since that point, having accrued substantial goodwill and international recognition in its LINEBET offerings, accruing hundreds of thousands of customer registrations and new visitors to its main website since it began operating its online betting platform in 2019. The Complainant

further asserts to have been recognised as a prominent and trusted provider of gambling services, having been awarded the “Excellence in Sports Betting Innovation 2024” at SIGMAI’s Europe B2C Awards in 2024 (Annex 10 to the Amended Complaint).

The Complainant sustains that the disputed domain names are under common control and requests that they be dealt with at a single proceeding given that the disputed domain names: (i) share a similar lexical pattern, entirely reproducing the LINEBET trademark in addition to geographical terms and abbreviations, hyphens and generic abbreviations related to the Complainant’s services: “africa”, “algerie”, “ar”, “bangladesh”, “bd”, “eg”, “global”, “ke”, “ma”, “maroc”, “sn”, and “somalia”, as well as “apk” which is an abbreviation for “Android Package Kit”, a file format used for, amongst other things, mobile apps such as that offered by the Complainant; (ii) were registered within a reasonable proximity of one another, between June 22, 2023 and April 2, 2025, some at the same dates; (iii) share the same Registrars; (iv) were used in connection with websites displaying similar content, impersonating the Complainant; as well as (v) present inconsistent or false details and aliases to hide the true identity of the underlying registrant so as to frustrate legal proceedings.

The disputed domain names, according to the Complainant, reproduce entirely the Complainant’s LINEBET trademark with the addition of hyphens, generic, geographical and nonsensical terms such as “bd”, “ke”, “sn”, “somalia”, “eg”, “ar”, “global”, “africa”, “-bangladesh”, “maroc”, “ma”, “-eg”, “-ma”, “eg”, and “algerie”, and “apk”, which is not sufficient to avoid a finding of confusing similarity under the Policy.

Regarding the absence of the Respondents’ rights or legitimate interests, the Complainant argues that:

- i. the Respondents have not registered any trademarks for “linebet”, nor any of the terms contained within the disputed domain names;
- ii. almost all of the disputed domain names resolve to websites that impersonate the Complainant, reproducing the official LINEBET logo, also redirecting Internet users to the Complainant’s official website so as to generate unauthorised monetary gain, in breach of the terms of the Complainant’s affiliate agreement; the remainder disputed domain names are being passively held which cannot constitute a bona fide offering of goods or services or legitimate noncommercial or fair use;
- iii. the Respondents are not known, nor have ever been genuinely known by the term “Linebet”, nor by any of the terms contained within the disputed domain names or by anything similar were not authorized by the Complainant to use or register its trademarks as domain names; and
- iv. the composition and corresponding website contents of the disputed domain names imply an affiliation with, and impersonate the Complainant, which does not constitute a legitimate noncommercial or fair use.

Furthermore, the Complainant submits that its trademark gained tremendous reputation and success since its launch in 2019 that it is inconceivable that the Respondents could have ignored the Complainant and its trademark rights when registering the disputed domain names. Quite to the contrary, the Complainant sustains that in view of the importance of its trademark the Respondents have registered the disputed domain names seeking to unfairly capitalize on the goodwill and fame of the Complainant’s trademark by creating a likelihood of confusion as to the source, sponsorship, affiliation or endorsement of their websites, making Internet users believe that the websites are associated, endorsed or recommended by the Complainant, which is not true.

As to the use of the disputed domain names in bad faith, the Complainant argues that the Respondents have attempted to impersonate the Complainant thereby diverting Internet traffic intended for the Complainant’s services towards the disputed domain names, through which the Respondent obtains financial gain by virtue of the affiliate links that redirect Internet users to the Complainant’s official website. As to the remainder of the disputed domain names they have been passively held and characterize a pattern of bad faith conduct in which the Respondents have engaged. Lastly, the Respondents have not replied to the Cease and Desist

Letter sent by the Complainant (Annex 18 to the Amended Complaint) prior to this procedure, what further indicates the Respondents' bad faith conduct.

B. Respondents

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

7. Discussion and Findings

7.1. Procedural Matter – Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control. The Complainant requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("[WIPO Overview 3.0](#)"), section 4.11.2.

The Complainant requests that this Panel accept multiple Respondents in a single proceeding in view of the facts enumerated at Section 6.A. above.

All of the aforementioned criteria are present in this case and therefore this Panel accepts such request considering that it would be more procedurally efficient to have the 17 disputed domain names dealt with at the same proceeding, given that the disputed domain names share a number of characteristics: a) a similar naming pattern (reproducing the entirety of the Complainant's trademark with the inclusion of hyphens and geographic terms and abbreviations as well as dictionary terms; b) 13 of the 17 disputed domain names are used in connection with active webpages reproducing the Complainant's logo and information, as well as containing links to the official webpage of the Complainant; c) via the same Registrars; and d) present inconsistent or false contact details.

This Panel is satisfied, in view of the evidence submitted and on balance that the disputed domain names are indeed subject to a common control and that consolidation would be fair and equitable to all Parties.

7.2. Substantive Matter

Paragraph 4(a) of the Policy sets forth three requirements which have to be met for this Panel to order the transfer of the disputed domain names to the Complainant:

- (i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondents have no rights or legitimate interests in respect of the disputed domain names; and
- (iii) the disputed domain names have been registered and are being used in bad faith.

The Complainant must prove in this administrative proceeding that each of the aforesaid three elements is present in order to obtain the transfer of the disputed domain names.

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 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 Panel finds the mark is recognizable 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.

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.

The Respondents, in not responding to the Complaint, have failed to invoke any of the circumstances, which could demonstrate, pursuant to paragraph 4(c) of the Policy, any rights or legitimate interests in the disputed domain names. This entitles the Panel to draw any inferences from such default as it considers appropriate, pursuant to paragraph 14(b) of the Rules. Nevertheless, the burden of proof is still on the Complainant to make at least a prima facie case against the Respondents under the second UDRP element.

In that sense, and according to the evidence submitted, there is no evidence that the Respondents have been commonly known by the disputed domain names, and furthermore, the Complainant indeed states that the Respondents were not authorized to use or register its trademarks as domain names.

In addition to that, the absence of any indication that the Respondents have been commonly known by the disputed domain names, or that they have acquired any registered trademarks or trade names corresponding to the disputed domain names, corroborate with the indication of the Respondents' lack of rights or legitimate interests in the disputed domain names.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondents do not have rights or legitimate interests with respect to the disputed domain names.

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.

The disputed domain names incorporate the Complainant's trademark in its entirety. The Complainant asserts that it founded its online platform in 2019, and has provided historical captures of its website since 2021 (Annex 6 to the Complaint). Therefore, the Panel considers that the Respondents knew or should have known the Complainant and registered the disputed domain name targeting the Complainant.

The Panel notes that 13 of the 17 disputed domain names are used in connection with active webpages reproducing the Complainant's logo and information, as well as containing links to the official webpage of the Complainant. Such registration and use constitute bad faith under paragraph 4(b)(iv) of the Policy.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark, and the composition of the disputed domain names, and the alleged impersonation of the Complainant in connection with 13 of the 17 disputed domain names, and finds that in the circumstances of this case the passive holding of the remaining four disputed domain names does not prevent a finding of bad faith under the Policy.

Four other factors corroborate the finding of the Respondents' bad faith conduct in this case:

- (i) the Respondents lack of reply to the Cease and Desist letter sent prior to this proceeding;
- (ii) the Respondents lack of reply to the Complaint; and
- (iii) the possible use of false contact details (the Complainant pointed out the discrepancies in the Respondents' contact details).

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 names <linebetafrica.net>, <linebetalgerie.com>, <linebetalgerie.net>, <linebetapk.info>, <linebetar.com>, <linebet-bangladesh.net>, <linebetbd.net>, <linebeteg.com>, <linebet-eg.net>, <linebeteg.org>, <linebetglobal.com>, <linebetke.com>, <linebet-ma.net>, <linebetma.net>, <linebetmaroc.com>, <linebetsn.com>, and <linebetsomalia.net> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: June 30, 2025