

ADMINISTRATIVE PANEL DECISION

Sun International (IP) Limited v. Inna Romanchuk
Case No. D2025-2405

1. The Parties

The Complainant is Sun International (IP) Limited, South Africa, represented by Adams & Adams Attorneys, South Africa.

The Respondent is Inna Romanchuk, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <sunbet-online.com> is registered with Eranet International Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 18, 2025. On June 18, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 23, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 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 July 7, 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 July 11, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 31, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 4, 2025.

The Center appointed James Bridgeman SC as the sole panelist in this matter on August 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. 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's mailing address is 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 courier service was not able to deliver the written notice to the Respondent's address in Ukraine, whereas the Complaint was delivered to the Respondent's email address provided by the Registrar. 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 is the owner of an online platform providing sports betting and casino-type gaming services and is the owner of the SUNBET service mark which it has registered in multiple jurisdictions including:

- Democratic Republic of the Congo registered trademark and service mark SUNBET, registration number 17.990/2012, registered on October 13, 2012, for goods and services in classes 9 and 41.
- Botswana registered trademark and service mark SUNBET, registration number BW/M/2012/01106, registered on November 28, 2012, for goods and services in classes 9, 28, 41, and 42.
- South African registered trademark and service mark SUNBET, registration number 2012/24239-42, registered on September 7, 2012 for goods and services in classes 9.

The Complainant maintains websites at "www.sunbet.co.za", and "www.suninternational.com".

The disputed domain name was registered on May 12, 2025, and at the time of filing of the Complaint it resolved to a website offering gaming services, including sports betting and casino-type games, using the SUNBET mark without authorization. Currently the disputed domain name directs to an inactive webpage.

There is no information available about the Respondent, except for that provided in the Complaint, the Registrar's Whois for the disputed domain name, and the Registrar's response to the request by the Center for details of the registration of the disputed domain name for the purpose of this proceeding.

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 name.

Notably, the Complainant claims rights in the SUNBET trademark, based on its ownership of the trademark and service mark registrations described above and extensive use of the mark providing online sports betting and gaming services.

The Complainant submits that it launched its SUNBET platform in November 2013, on which it offers up to 100,000 markets on up to 5,000 events of 40 sports weekly, including 4,000 live events, focusing on the majority of the English Premier League, Cricket and Rugby events. The platform also offers more than 60 casino-type games.

To support its submissions, in an annex to the Complaint, the Complainant has submitted a number of media articles including an article dated November 22, 2013, on the website “www.bdlive.co.za” announcing the launch of the Complainant’s SUNBET website; copies of articles that appeared in the Complainant’s Privé magazine in the summer of 2013 and autumn 2014 issues relating to the SUNBET online betting platform; and an article dated June 14, 2018, on the website “www.yogonet.com” titled “*The Sun International Group and Bede Gaming relaunch Sunbet site*”.

The Complainant asserts that it invested over ZAR 240 million (approximately USD 14.5 million) in marketing its SUNBET brand between 2015 and 2023; and submits that the mark has received widespread media coverage and is promoted across various social media platforms.

The Complainant firstly alleges that the disputed domain name is identical or confusingly similar to the SUNBET mark in which it has rights, arguing that the disputed domain name consists of the Complainant’s SUNBET mark in combination with the descriptive term “online” together with the generic Top-Level Domain (“gTLD”) extension “.com”.

The Complainant submits that it is well established that, where a disputed domain name wholly incorporates a registered trademark, that is sufficient to establish confusing similarity.

It is argued that in *Sun International (IP) Limited v. Viktor Parfonov*, WIPO Case No. [D2024-1018](#), which concerned the domain name <sunbetlogin.com>, it was held that the addition of the term “login” in the disputed domain name does not prevent a finding of confusing similarity between the domain name and the Complainant’s SUNBET trademark, and the Complainant submits that equally the addition of the descriptive term “online” does not serve to distinguish the disputed domain name <sunbetonline.com> from the Complainant’s well-known SUNBET trademark.

Furthermore, the Complainant submits that it is well established that the specific TLDextension, in this case “.com” does not generally affect the disputed domain name for purposes of determining whether it is identical or confusingly similar to the Complainant’s mark.

Secondly the Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name because:

- the Complainant did not authorize the Respondent to use the SUNBET trademark;
- there is no relationship between the Complainant and the Respondent;
- the Respondent is not commonly known by the name SUNBET;
- the disputed domain resolves to a website making unauthorized use of the SUNBET trademark, as shown in a screen capture exhibited in an annex to the Complaint.

The Complainant adds that the use of the disputed domain name by the Respondent amounts to trademark infringement and passing-off under common law, and the Respondent is not making a bona fide offering of goods or services or legitimate noncommercial or fair use of the disputed domain name.

The Complainant thirdly alleges that the disputed domain name was registered and is being used in bad faith, arguing that the Respondent was aware of Complainant’s rights in the SUNBET mark at the time of registration as is evident by the fact that the disputed domain name wholly incorporates the Complainant’s mark.

The Complainant adds that the disputed domain name was registered and linked to the website “www.sunbet-online.com” with the intention of creating confusion among members of the public and misleading them into believing that the website, and goods/services offered on it, is connected to or endorsed by the Complainant, which is not the case.

It is further argued that the website to which the disputed domain name resolves mimics the Complainant's own website as shown in screen captures which are exhibited within the Complaint and in annexes to the Complaint.

In addition, the Complainant submits that the content of the Respondent's website clearly refers to the Complainant's online betting platform, which, as mentioned, was established in South Africa in November 2013. The landing page to which the disputed domain name resolves, refers to the Complainant and its services in some manner. This is evident by the first paragraph appearing after the bullet points, as shown in the exhibited screen capture, which states, "Sunbet is a betting platform created back in 2013 by Sun International. The site features around 36 sports disciplines."

It is contended that there can be no doubt that the disputed domain name, and the website to which it resolves, were registered and created with the registrant having knowledge of the Complainant and its SUNBET trademark.

The Complainant adds that the registration of the disputed domain name prevents the Complainant from using the identical domain name.

In conclusion, it is submitted that the Respondent's use of the disputed domain name would lead people and/or businesses to believe that the disputed domain name is registered to, operated or authorized by, or otherwise connected to the Complainant.

The Complainant argues that the disputed domain name, therefore, creates the impression that the Respondent and the Complainant are somehow associated or connected due to the confusing similarity between the disputed domain name, and the Complainant's SUNBET trademark; and that such use constitutes bad faith for the purposes of the Policy.

B. Respondent

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

7. 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 SUNBET 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 elements within the disputed domain name, here being a hyphen and the generic word "online" may bear on assessment of the second and third elements, the Panel finds the addition of such elements does not prevent a finding of confusing similarity between the disputed domain name and the SUNBET 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 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.

Specifically, the SUNBET mark is contained as the initial and dominant element in the disputed domain name; the Complainant did not authorize Respondent to use the SUNBET trademark; there is no relationship between the Complainant and the Respondent; the Respondent is not commonly known by the name SUNBET; and the disputed domain name resolved to a website that is making unauthorized use of the SUNBET trademark, by purporting to offer services that directly compete with those offered by the Complainant, as shown in a screen capture exhibited in an annex to the Complaint

Panels have held that the use of a domain name for illegitimate activity here being the impersonation of the Complainant can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

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 is engaged in breach of two of those elements namely:

- the disputed domain name was registered primarily for the purpose of disrupting the business of the Complainant who is a competitor; and
- by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website or other online location, by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of the Respondent’s website, and the gaming services offered on the Respondent’s website or location.

Panels have held that the use of a domain name for illegitimate activity, here being the impersonation of the Complainant and the passing off of the gaming services offered by the Respondent on the website to which the disputed domain name resolved constitutes bad faith for the purposes of the Policy. [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 Panel finds that the Complainant has established the third element of the Policy.

8. 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 <sunbet-online.com> be transferred to the Complainant.

/James Bridgeman SC/

James Bridgeman SC

Sole Panelist

Date: August 26, 2025