

ADMINISTRATIVE PANEL DECISION

NPP Australia Limited v. Roman Makarov
Case No. D2025-2761

1. The Parties

The Complainant is NPP Australia Limited, Australia, represented by Corrs Chambers Westgarth, Australia.

The Respondent is Roman Makarov, Russian Federation.

2. The Domain Names and Registrar

The disputed domain names <payid-gambler.com> (“the first disputed domain name”) and <payid-gambler.net> (“the second disputed domain name”) are registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 14, 2025. On July 14, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On July 16, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 24, 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 27, 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 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 24, 2024.

The Center appointed Catherine Slater as the sole panelist in this matter on September 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 Complainant is an Australian company. It operates and manages a payments system allowing Australian consumers, businesses, and government agencies to make fast electronic payments between financial institutions. It connects over 100 banks and facilitates approximately AUD 6 billion in payments every day. The PayID service is part of that platform and enables users to send and receive money using a mobile number, email address, Australian Business Number, or Organisation Identifier. PayID is offered by over 80 financial institutions through their online banking services. As of March 2025, there were over 26 million PayID accounts registered.

The Complainant has a number of trademark registrations for the plain word mark PAYID as well as stylized version (together referred to as “the Complainant’s Trademark”), including:

- International Registration 1578572 for PAYID (word mark) registered on August 5, 2020 (“the PAYID Word Mark”);
- Australian Registration 1829557 for PAYID (stylized word mark) registered on October 11, 2017;
- International Registration 1579867 for PAYID (stylized word mark) registered on August 5, 2020,

The aforementioned stylized word marks (“the PAYID Stylized Mark”) comprise the word “Pay” and to the right appears the stylized word “iD” inside of a square with curved edges with the letter “D” appearing incomplete and a portion formed by an arrow emanating from the base of the letter “i”.

The Complainant grants non-exclusive, revocable licences to businesses and organizations to use the Complainant’s Trademark in Australia for the purpose of indicating to the public that they offer PayID services. Consequently, the Complainant’s Trademark is often used in online banking menus and on payment screens.

The first disputed domain name was registered on November 15, 2023. The second disputed domain name was registered on May 16, 2024.

Until December 2024, the first disputed domain name pointed to a website (“the First Website”) that advertised third-party gambling services that purportedly offered PayID. The header of that website contained the wording PayIDGambler (“the PayIDGambler Logo”), in which the “Pay ID” element was stylized in such a way that it resembled the PAYID Stylized Mark. In December 2024, the First Website was found to be operating illegally under the Interactive Gambling Act 2001 and consequently ISPs were requested to block access.

On December 7, 2024, the first disputed domain name re-directed to the second disputed domain name which pointed to a website the header of which contained the PayIDGambler Logo. The landing page of the website stated, “PayID-Gambler.com Has Moved to a New Web Address PayID-Gambler.net”. The wording continued with a reassurance that the re-direction was for the benefit of Internet users and “ensures uninterrupted access to our services, no matter which address you use.”

On or around July 11, 2025, a date shortly prior to the submission of this Complaint, the first disputed domain name continued to re-direct to the second disputed domain name which advertised third-party gambling services that purportedly accept PayID. The header contained the PayIDGambler Logo. In addition to the advertising, it provided information regarding PayID services and instruction on how to set up and use PayID services including an embedded video taken from the Complainant’s YouTube channel. The footer discloses

that the Respondent earns “financial compensation” whenever links are clicked. This iteration of the website is hereinafter referred to as “the Second Website”.

At the date of this Decision, the first disputed domain name re-directs to the second disputed domain name. The second disputed domain name points to a webpage that states, “This domain is registered at Dynadot.com. Website coming soon.” as well as, “Content blocked”, “Please turn off your ad blocker”. The Panel did not, to its knowledge, have any ad blocker turned on.

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 names are confusingly similar to the Complainant’s Trademark since that trademark is incorporated into the disputed domain names in its entirety and is clearly recognizable. It further contends that the addition of the mere descriptive term, “gambler”, does not prevent a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain names. In this regard, the Complainant contends that the Respondent has no connection or affiliation with the Complainant and has no authorisation to register the disputed domain names, that the use of the disputed domain names to offer services is not a bona fide offering, is not legitimate, noncommercial or fair use of the dispute domain names without intent for commercial gain and creates a risk of tarnishing the Complainant’s goodwill and reputation. The Complainant further contends that the use of the first disputed domain name amounts to illegal activity.

The Complainant further contends that the disputed domain names were registered and are being used in bad faith. In this regard, it contends that the mere registration of the disputed domain names creates a presumption of bad faith by reason of the Complainant’s Trademark being widely-known, that the Respondent had the Complainant in mind when registering the disputed domain names and that the Respondent’s conduct is an attempt to trade off the reputation and goodwill in the Complainant’s Trademark. The Complainant further contends that the Respondent is intentionally creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the Second Website and the gambling services promoted therein in order to attract internet users and provide the Second Website with an air of authenticity. Finally, the Complainant contends that the Respondent’s use of the disputed domain names amounts to illegitimate activity.

B. Respondent

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

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 PAYID Word 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, “gambler”, 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 names 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 names. 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 names such as those enumerated in the Policy or otherwise.

The record shows that the first disputed domain name was used for the purpose of advertising illegal gambling services which itself amounted to an illegal activity under the Australian Interactive Gambling Act 2001.

Panels have held that the use of a domain name for illegal activity (here, claimed advertising of illegal gambling services) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The record shows that the second disputed domain name was used (at least when pointed at the Second Website) in similar manner to the first disputed domain name.

In any event, the Panel is satisfied that these uses of the disputed domain names sought to take unfair advantage of the Complainant’s Trademark (as discussed in more detail below) and cannot therefore give rise to rights or legitimate interests. Furthermore, the composition of the disputed domain names carries a risk of implied affiliation with the Complainant. [WIPO Overview 3.0](#), section 2.5.1.

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.

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 Panel finds the Complainant's Trademark to be distinctive and through significant and reasonably long-standing use, to have become well-known in relation to electronic payment services in Australia. The Respondent has provided no explanation for its registration and use of the disputed domain names. The Panel infers in the circumstances that the Respondent registered the disputed domain names with the Complainant's Trademark in mind and with the intention of taking advantage of the Complainant's Trademark by giving the false impression that its website was affiliated to, or endorsed by, the Complainant in some manner.

The Panel therefore finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant's Trademark as to the source, sponsorship, affiliation, or endorsement of its website or of a product or service on its website (paragraph 4(b)(iv) of the Policy).

Moreover, panels have held that the use of a domain name for illegal activity (here, claimed advertising of illegal gambling services) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

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. Having reviewed the available record, the Panel notes (i) the distinctiveness and reputation of the Complainant's Trademark, (ii) the failure of the Respondent to submit a response or to provide any evidence of actual or contemplated good-faith use, and (iii) the implausibility of any good faith use to which the disputed domain names may be put considering the composition of the disputed domain names and finds that in the circumstances of this case the current passive holding (or redirection to such) of the disputed domain names does not prevent a finding of 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 names <payid-gambler.com> and <payid-gambler.net> be transferred to the Complainant.

/Catherine Slater/

Catherine Slater

Sole Panelist

Date: September 16, 2025