

## **ADMINISTRATIVE PANEL DECISION**

Resolina Invest Ltd v. Malik Nomi

Case No. D2025-3370

### **1. The Parties**

The Complainant is Resolina Invest Ltd, Cyprus, represented by Abdulaziz Iusupov, Cyprus.

The Respondent is Malik Nomi, Cyprus.

### **2. The Domain Name and Registrar**

The disputed domain name <mostbetcash.com> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 21, 2025. On August 22, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 22, 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 (unidentified) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 25, 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 amendment to the Complaint on August 26, 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 August 28, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 17, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 24, 2025.

The Center appointed Christos A. Theodoulou as the sole panelist in this matter on September 30, 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 Resolina Invest Ltd is a private company registered under the laws of Cyprus, registration no. HE 398362.

Resolina Invest Ltd is the owner of:

European Union Trademark registration no. 018651784 MOSTBET, registered June 1, 2022. The trademark is registered in three classes, class 9, class 16 and class 42. (Class 42, which is of interest to this case is for gambling services, Administration (organization) of poker games, betting exchange services.)

The disputed domain name <mostbetcash.com> was created on July 13, 2022, that is after the registration of MOSTBET trademark.

According to the uncontested allegations of the Complainant the trademark MOSTBET is widely known brand all over the world and is actively used by the Mostbet group in provision of the gambling and betting services. The Complainant is a member of the Mostbet group.

#### **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 name is confusingly similar to its trademark MOSTBET in which the Complainant has rights, that the Respondent lacks any rights or legitimate interests in respect of the disputed domain name, and that the Respondent registered the disputed domain name after the Complainant registered its trademark and has registered and used the disputed domain name in bad faith.

Moreover, the Complainant alleges that the Respondent has no rights or legitimate interests in the disputed domain name, that the Respondent has no relation to the Complainant in any way. The Complainant further alleges that the Respondent was neither licensed nor authorized to make any use of the Complainant's trademark MOSTBET.

The Complainant further asserts that, the Respondent by using the disputed domain name, has intentionally attempted to attract for commercial gain internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the respondent's website or location or of a product or service on the Respondent's website or location, which serves as further evidence of bad faith.

##### **B. Respondent**

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

#### **6. Discussion and Findings**

The Panel shall now proceed to the analysis of the evidence in this case and shall decide if the Complainant has satisfied the three elements of paragraph 4(a) of the Policy.

## **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 MOSTBET trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the MOSTBET mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms, here "cash", 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 that 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 that 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.

In particular and based on the available record, the Panel finds that the Respondent has not used the disputed domain name for a bona fide offering of goods or services; that the Respondent is not commonly known by the disputed domain name; and that the Respondent has not made a legitimate noncommercial or fair use of the disputed domain name.

Moreover, it is to be noted that the Respondent did not present evidence of any license or permission by the Complainant, with whom there seems to exist no relationship whatsoever.

In addition, the Panel notes that the composition of the disputed domain name, incorporating the Complainant's distinctive trademark in its entirety, carries a risk of implied affiliation. [WIPO Overview 3.0](#), section 2.5.1.

As a conclusion on this point, the Panel finds that 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's disputed domain name was registered on July 13, 2022, whereas the Complainant's trademark had already been registered. From the evidence at hand, the Panel finds that the Respondent, when registering the disputed domain name, must have been aware of the Complainant's trademark. Therefore, the Respondent's awareness of the Complainant's trademark rights at the time of registration suggests bad faith (See, *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#), *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#)).

The Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark.

Further, even though the Respondent is not an affiliate or a partner of the Complainant, the Respondent is offering Internet users to become a Mostbet partner and participate in an affiliate program after registration as an agent for a remuneration, according to the uncontested allegations of the Complainant. Panels have held that the use of a domain name for illegitimate activity, here, claimed *impersonation/passing off*, constitutes bad faith. [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.

As a consequence of the above, 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 <mostbetcash.com> be transferred to the Complainant.

/Christos A. Theodoulou/

**Christos A. Theodoulou**

Sole Panelist

Date: October 14, 2025