

ADMINISTRATIVE PANEL DECISION

Casino de Spa S.A. v. Mike Brown
Case No. D2025-3382

1. The Parties

The Complainant is Casino de Spa S.A., Belgium, represented by COGITUS SRL, Belgium.

The Respondent is Mike Brown, Portugal.

2. The Domain Name and Registrar

The disputed domain name <casino777-es.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 22, 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 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 (REDACTED FOR PRIVACY) 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 amended Complaint on August 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 September 5, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 25, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 30, 2025.

The Center appointed Francisco Castillo-Chacón as the sole panelist in this matter on October 6, 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 Belgium company, owner and licensor of several trademarks, including the European Union ("EU") figurative trademark 777, no. 017178451, registered on January 9, 2018, and EU verbal trademark CASINO 777, no. 014632244, registered on March 31, 2016.

The Gaming operator of the Complainant is Digital Distribution Management Iberica, who is the official owner of several gambling licences issued by the Spanish Directorate General for the Regulation of Gambling Access.

The Complainant also owns numerous domain names, including <casino777.es>.

The disputed domain name was registered on May 5, 2025. The disputed domain name does not resolve to an active website.

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 it owns the trademarks CASINO 777 and 777. The Complainant also released a mobile application which is available in both IOS and Android devices called Casino777 or simply 777. The Complainant further contends that the construction of its trademarks is deliberate and makes CASINO 777 and 777 distinctive from a trademark law perspective for casino services. The Complainant therefore submits that it has established rights in the trademark 777 (figurative) and CASINO 777 and that the disputed domain name is confusingly similar to those trademarks.

In addition, the Complainant asserts that the Respondent has no rights or legitimate interests in the disputed domain name since the Complainant has no relationship with the Respondent and the latter is not commonly known by the disputed domain name. The Respondent certainly had knowledge of the Complainant's trademarks when the disputed domain name was registered, given the distinctiveness of the trademark, and the fact that the Respondent copied the design of the Complainant's website. The Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services.

The Complainant states that the disputed domain name was registered and used in bad faith given that: (a) the Respondent was aware of the CASINO 777 mark; and (b) the Respondent is not using the disputed domain name in connection with a bona fide offering of goods or services, nor making any legitimate noncommercial or fair use.

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 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 terms, here “-es”, 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 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.

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

The disputed domain name hosts a copycat gambling website that slavishly reproduces the Complainant’s trade dress, logo, and promotional artwork. The Panel finds that such use fails the landmark four-part Oki Data test established long ago (*Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)), in particular it does not accurately disclose the Respondent’s lack of affiliation. Rather, the website falsely implies sponsorship by the Complainant, which does not confer rights or legitimate interests.

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.

Panels have held that the use of a domain name for an illegitimate activity here, impersonation to provide an unlicensed gambling website, 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.

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 <casino777-es.com> be transferred to the Complainant.

/Francisco Castillo-Chacón/

Francisco Castillo-Chacón

Sole Panelist

Date: October 20, 2025