

## **ADMINISTRATIVE PANEL DECISION**

SportPesa Holdings Ltd. v. Zhenhua Bin

Case No. D2025-3965

### **1. The Parties**

The Complainant is SportPesa Holdings Ltd., Isle of Man, represented by SafeNames Ltd., United Kingdom.

The Respondent is Zhenhua Bin, China.

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

The disputed domain name <wwwsportpesa.com> is registered with GoDaddy Online Services Cayman Islands Ltd. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 29, 2025. On September 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 30, 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 (Registration Private) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 4, 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 October 6, 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 October 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was October 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on October 31, 2025.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on November 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 following facts are undisputed.

The Complainant is a prominent provider of online sport betting and gaming services. The Complainant operates under the SPORTPESA brand, which was founded in 2014. Whilst the SPORTPESA brand originated in Kenya, where it maintains a significant presence, it has expanded its global workforce to jurisdictions such as South Africa, Tanzania, Italy and the Isle of Man. The Complainant has around 12,000,000 customers worldwide, with over 500 global employees.

The Complainant's online platform, which it has operated since 2014, is the foundation of its business. The Complainant operates its main platform, which can be accessed via "www.sportpesa.com", and which it uses to facilitate access to its service offerings, such as live sport betting and online casino. The Complainant's main website also features links to the official SPORTPESA applications. The Complainant also has country-specific websites where it advertises its offerings. The SPORTPESA platform received an average of 4.5 million visits per month between November 2024 and January 2025. Google Trends data shows a spike in popularity for searches of the term "SPORTPESA" in the 2015-16 period and demonstrates that users searching for SPORTPESA associate it with sports betting and gambling services.

Since the inception of the SPORTPESA brand in 2014, the Complainant has pursued high-profile sport sponsorships to increase its global presence. The SPORTPESA brand gained exposure in February 2016 when it signed a partnership deal with Arsenal Football Club. The Complainant has since been an official sports betting partner of Premier League football clubs such as Southampton, Everton, and Hull City.

The Complainant has registered numerous domain names for its activities, including <sportpesa.am>, <sportpesa.ba>, - <sportpesa.cn>, - <sportpesa.co.dk>, <sportpesa.app>, <sportpesa.biz>, <sportpesa.co.bw>, and <sportpesa.co.gl>.

The Complainant holds a number of registered trademarks which include element SPORTPESA in various jurisdictions, including the International Registration SPORTPESA (word mark), with number 1339902, registered on January 19, 2017, for goods and services in classes 9, 36, 38, 41, 42, and 45, designating several countries worldwide. For this International Registration the priority was invoked of a United Kingdom trademark, with registration number UK00003176509, which was applied for on July 25, 2016 and registered on October 28, 2016 for the same goods and services. The Complainant also owns a registration in China for SPORTPESA, with number 28197518 and a registration date of November 21, 2018, for goods and services in classes 9, 25, 35, 36, 38, 41, 42, and 45.

The disputed domain name was registered on April 23, 2016. The disputed domain name resolves to a parked page comprising apparently randomly created pay-per-click ("PPC") advertising links, with no relationship with the term "sportpesa".

#### **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, and to the extent relevant for rendering this decision, the Complainant contends the following.

It is an established principle that where a complainant holds a nationally or regionally registered trademark or service mark, this *prima facie* satisfies the threshold requirement of having trademark rights for the purposes of standing to file a UDRP case. The Complainant holds registered trademarks for the term SPORTPESA. Moreover, the Complainant highlights the goodwill and recognition that has been attained under the name “SPORTPESA”, which is a distinctive identifier associated with the Complainant’s services.

Though originally based in Kenya, and targeting the African market, the Complainant’s services are online and therefore its brand is inherently global. This has been enhanced by signing partnerships with world-renowned Premier League football clubs, such as Arsenal in February 2016.

WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“[WIPO Overview 3.0](#)”), section 1.3 explicitly states that common law rights can be established even in niche markets: “for a number of reasons, including the global nature of the Internet and Domain Name System, the fact that secondary meaning may only exist in a [...] market niche does not preclude the complainant from establishing trademark rights (and as a result, standing) under the UDRP.”

The disputed domain name is a clear example of typosquatting, catching users who mistype the full URL of the Complainant’s official site, i.e., “www.sportpesa.com”. The Respondent’s intention to catch Internet users mistyping the Complainant’s website further affirms that the Complainant retains unregistered trademark rights in the term, as it demonstrates that the mark has become a source identifier that consumers associate with the Complainant’s services.

The Respondent has not used, nor prepared to use, the disputed domain name in connection with a bona fide offering of goods or services as the disputed domain name resolves to a parked page comprising apparently randomly created PPC advertising links, with no relationship with the term “sportpesa”.

The Respondent has therefore attempted to attract Internet traffic through use of the distinctive SPORTPESA name.

While the Complainant’s trademark registrations were finalized after the registration of the disputed domain name, the Complainant’s unregistered rights in the SPORTPESA mark began in 2014, when it launched on “www.sportpesa.com”. The SPORTPESA name has become well known in the online sports betting and gambling sector, even prior to the disputed domain name’s registration. The term “sportpesa” has no inherent generic meaning, and would be associated with the Complainant’s services in the minds of the relevant section of the public. There is no other plausible explanation for the registration of the disputed domain name other than setting up a typosquatted version of the SPORTPESA mark and website. There is no descriptive, natural, or generic meaning to the sequence of letters contained in the disputed domain name. It is, therefore, implausible that the Respondent was unaware of the Complainant’s use of the SPORTPESA mark in 2016 for its commercial offerings.

Upon disclosure of the Respondent’s identity, it became clear from historical Whois records that the Respondent came into ownership of the disputed domain name on or around June 23, 2016, instead of the disputed domain name’s registration date of April 23, 2016.

[WIPO Overview 3.0](#), section 3.8.2 states that bad faith can be found even where domain names are registered prior to the formalization of a registered trademark. In addition, past UDRP decisions with similar factual circumstances (i.e., typosquatting domain names) concur that bad faith registration should be found in cases where it is clear that the Respondent targeted the Complainant.

Lastly, the Respondent has displayed a longstanding pattern of bad faith conduct, targeting numerous third-party brands, including those in the same sector as the Complainant. This pattern of bad faith registrations demonstrates the Respondent’s knowledge of, and intent to target, the Complainant’s unregistered

trademark rights in SPORTPESA. The Respondent evidently knew of, or researched, brands in the sports betting sector and targeted them through typosquatting domain name registrations.

## **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 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. For that reason, it is not necessary to establish whether the Complainant has also established unregistered trademark or service mark rights for the purpose of the first element.

The Panel finds the mark is recognizable within the disputed domain name. The disputed domain name is clearly an example of typosquatting, given the letters "www" which precede the Complainant's mark. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), sections 1.7 and 1.9.

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, 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 refers to its consideration under 6.B.

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 finds that the Respondent must have registered the disputed domain name in bad faith. There are no other plausible explanations for the registration of the disputed domain name other than the Respondent wanting to set up either a website which would allow the Respondent to falsely present itself as the Complainant, intentionally attempting to attract, for commercial gain, Internet users to another website by creating a likelihood of confusion with the Complainant's mark, or use for phishing purposes.

The Panel notes that the disputed domain name was registered by the Respondent some weeks prior to the date the Complainant applied for its trademark. However, it is clear to this Panel, based on the evidence presented, that the Complainant's mark was used extensively prior to the registration of the disputed domain name, e.g., resulting from the signed partnership with Arsenal Football Club, which gave rise to media attention. Panels have recognized that, although bad faith would not easily be found, where a respondent registers a domain name before the complainant's trademark rights were applied for, nonetheless bad faith can exist if a respondent registers a domain name in anticipation of trademark rights. The scenarios that the registration of the domain name follows significant media attention, was specifically mentioned.

[WIPO Overview 3.0](#), section 3.8.2.

The Panel further finds that using the disputed domain name to resolve to a parking page with PPC links constitutes bad faith in accordance with paragraph 4(b)(iv) of 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 <[wwwsportpesa.com](http://wwwsportpesa.com)> be transferred to the Complainant.

*/Willem J. H. Leppink/*  
Willem J. H. Leppink  
Sole Panelist  
Date: November 18, 2025