

ADMINISTRATIVE PANEL DECISION

Blizzard Entertainment, Inc. v. Anastassiya Pikalova
Case No. D2025-4169

1. The Parties

The Complainant is Blizzard Entertainment, Inc., United States of America ("United States"), represented by Mitchell Silberberg & Knupp LLP, United States.

The Respondent is Anastassiya Pikalova, Kazakhstan.

2. The Domain Name and Registrar

The disputed domain name <turtle-wow.org> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on October 11, 2025. On October 13, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On October 14, 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, Privacy service provided by Withheld for privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on October 14, 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 October 14, 2025.

The Center verified that the Complaint together with the amendment to the 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 21, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 10, 2025. The Response was filed with the Center on November 8, 2025.

The Center appointed Andrew D. S. Lothian as the sole panelist in this matter on November 17, 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.

On November 18, 2025, the Complainant filed a supplemental filing. On November 20, 2025, the Respondent filed a supplemental filing.

4. Factual Background

The Complainant is a corporation existing under the laws of Delaware, United States. It is a video game developer, notably of the online multiplayer game titled “World of Warcraft”, also known as “WoW”, originally released in 2004. The Complainant owns multiple trademarks in respect of both of these terms, for example:

United States Registered Trademark Number 2972619 for the word mark WORLD OF WARCRAFT, registered on July 19, 2005, in Class 9; and

United States Registered Trademark Number 4071311 for the word mark WOW, registered on December 13, 2011, in Class 41.

The Complainant’s evidence shows that its promotion of these marks has led to each of them being synonymous with the Complainant and its said game franchise in the minds of the relevant public. The Complainant’s game has been subject to continuous updates over the years, and it also offers a variant named “World of Warcraft Classic” for players who wish to play older, legacy versions.

The Complainant’s “World of Warcraft” / “WoW” game is played on a client-server basis, in other words, the user downloads and installs software from the Complainant’s official website and during the game play this interacts with the Complainant’s server (accessed by the user via a password-protected account) to provide the complete gaming experience, which includes connecting gamers to one another. The player must therefore have a licensed copy of the said software and an active, authorized online connection to one of the Complainant’s official servers in order to play the game.

The disputed domain name was registered on July 6, 2018. Little is known of the Respondent apart from the fact that it appears to be a private individual with an address in Kazakhstan.

The website associated with the disputed domain name is used as the home of the “Turtle WoW Vanilla WoW” game. On said site, Internet users can download a game client which then interacts with the Respondent’s private servers in a similar way to the manner of operation of the Complainant’s game. The homepage for said game describes it at the top of the page as “Mysteries of Azeroth / A fan-made expansion story for Vanilla World of Warcraft that delves deeper into exploring the original lore of the game [...]”. The terms of use page alleges “Turtle WoW is a non-profit project developed to emulate outdated game versions strictly for educational and nostalgic purposes. The Site and Services do not support or provide modifications to any original game files. By using the Site or Services, users agree to comply with the original game’s End User License Agreement (EULA)”. There is a dispute between the Parties as to whether this game directly uses any of the Complainant’s proprietary software, although the Parties appear to agree that the purpose of the game is to provide the legacy experience of the Complainant’s World of Warcraft / WoW game, with certain unauthorized expansions written by the Respondent’s team, via private servers that are not authorized by the Complainant.

The Respondent has produced historic screenshots of the website associated with the disputed domain name which it says display a “disclaimer” of non-affiliation with the Complainant at the top and bottom of each page. However, no such disclaimer or non-affiliation statement is evident at the top of any page that the Panel has seen. Generally speaking, the top of the page does indicate that the game offered by the Respondent is “fan-made”, while, with the exception of the first screenshot dating from June 20, 2019, there

is a statement (not a disclaimer as such) at the foot of most of the homepages provided. The statement is first introduced in the screenshot of December 28, 2021, and reads, "Mysteries of Azeroth - is a story expansion made by the Turtle WoW Team, inspired by the Warcraft universe of Blizzard Entertainment. [line break] World of Warcraft remains the intellectual property of Blizzard Entertainment". Starting from the screenshot dated October 1, 2024, the statement changes to, "Mysteries of Azeroth - is a fan-made expansion story for WoW Vanilla that delves deeper into exploring the original lore of the game. [line break] World of Warcraft remains the intellectual property of Blizzard Entertainment." All such footer statements are written in small text and in a grey colored font against a black background. At least one historic screenshot produced by the Respondent dated March 29, 2023, listing the server rules and terms of use does not contain any such statement at the foot of the page.

The Respondent's game is allegedly provided to play for free on a community basis, and the terms of service prohibit real money trading or purchases for real-life currency or donation tokens. However, "donations" are solicited on the website associated with the disputed domain name. The Respondent's "donations" page states "Turtle WoW is free to play. However, for donation points we offer a variety of cosmetic and Quality of Life rewards. You can access them via the button on your minimap or in the in-game menu. To receive donation points you can use one of the payment systems below". The payment methods listed are PayPal, Visa (with international cards noted as now being accepted), Bitcoin, Alipay, or TBank. The page goes on to claim that Turtle WoW is a community-driven noncommercial online gaming platform, whereby "donations" support server maintenance and hosting, security measures, technical development, and community management. It is asserted on the page that all contributions are voluntary, do not grant competitive advantages, and are non-refundable. The Parties are in dispute as to whether the term "donations" is a smokescreen for a for-profit activity, or whether, because the term "donations" is used, this necessarily signifies a noncommercial project.

The Respondent's historic screenshots also show a version of its terms of use published in a forum-style format dated March 29, 2023, which begins by indicating that the rules "flow from our forums, to our discord, to in game". The rules relating to "Token items refund" describe the procedure for obtaining a refund "of an item purchased from the donation shop". Below this, under the heading "Promotional Sale" is the statement, "During the promotional sale, those [sic] following rules will apply: - Items purchased at full price won't be refunded for softcore or hardcore characters. - Items purchased during the promotional sale will be refunded for their discounted tokens value, not their full value. - Dead hardcore characters will get their items refunded at their purchased value. If you purchased items during the promotional sale, it will be refunded in their discounted tokens value. You won't be able to purchase the items again for the same token amount after the promotional sale is over. Tokens don't have an expiration date and shop promotional sales happen periodically. Token [sic] can be hold on an account until the next event. / Any scam attempt by trying to refund items purchased at half the price for full price will lead to a severe punishment".

There is a dispute between the Parties as to whether the Respondent's operation is genuinely noncommercial. The Complainant points to an online profile of a person allegedly responsible for the Respondent's marketing, which states, "I've done a great deal of marketing for a private gaming network based out of Europe, however I cannot publicly display the name due to privacy concerns. This work included management of the brand across YouTube, Discord, Reddit, Facebook, Instagram, Bluesky, X/Twitter, and TikTok for over two years. A few standout statistics are: Growth of a Discord server from 14,000 to over 100,000 members; More than 1.5 million organic YouTube views; Quadrupling (or better) engagement on all social platforms." The Respondent does not deny that this person was working with it but disputes whether this account should be considered to describe a commercial operation.

In a discussion apparently concerning the Respondent's funding model, an apparent representative of the Respondent also posted in an online forum on November 27, 2024, "As one of the leads for the project, I am uniquely aware of the network's financial requirements. While I will not publicly share a number, please keep in mind that we have - Over 100 team members (not including the separate, massive SEA [Southeast Asia] team) consisting of artists, developers modelers, animators, etc. - 24/7 support - an entire new client in development (which is a separate development team entirely)." The Parties are in dispute as to whether this statement indicates a commercial operation.

On August 29, 2025, the Complainant filed a lawsuit in the United States District Court, Central District of California, against various parties, not including the Respondent (unless the Respondent is included in the parties named “DOES 1 through 10, inclusive”) for Direct Copyright Infringement, Inducement to Infringe Copyright, Contributory Copyright Infringement, Vicarious Copyright Infringement, Violation of the Digital Millennium Copyright Act, Intentional Interference with Contractual Relations, False Designation of Origin, Federal Civil RICO – Conduct or Participation in an Enterprise, and Federal Civil RICO – Conspiracy. These claims relate to the operation of the website associated with the disputed domain name. The disputed domain name itself does not appear to be the subject of the action.

On October 17, 2025 (going by the date of posting) the Respondent posted an “open letter” to the Complainant on the website associated with the disputed domain name. This letter attempts to justify the Respondent’s actions, describing itself as a “modding community” and asking the Complainant to consider establishing “a formal ecosystem for licensing fan-run community servers” while acknowledging that the Complainant does not have “a framework that allows projects like ours to operate without risking legal conflict”. The letter goes on to list “successful studios” that allegedly promote a “well-structured community-server ecosystem”.

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 WOW mark, which is contained in the disputed domain name in its entirety, prefixed by the word “turtle-“ which suggests a spin-off of the Complainant’s game, and that the addition of other terms to a trademark does not prevent a finding of confusing similarity under the first element assessment.

The Complainant submits that it never authorized the Respondent to register the disputed domain name, that the Respondent is not known thereby (beyond an attempt to create a false association with the Complainant), and that the term WOW in the disputed domain name is intended to refer to the Complainant’s mark based on the many references on the associated website. The Complainant adds that the Respondent has not used or made preparations to use the disputed domain name in connection with a bona fide offering of goods or services and is not making a legitimate noncommercial or fair use thereof, adding that the associated website and unauthorized expansion is unaffiliated with the Complainant and does not offer authorized content from the Complainant, and that the Respondent chose the disputed domain name to appropriate and piggyback on the Complainant’s brand and intellectual property. The Complainant asserts that the Respondent has not used the term “wow” to reference an expression of surprise or amazement, but to market and distribute a competing and infringing “World of Warcraft” product.

The Complainant contends that the Respondent intentionally registered the disputed domain name to wrongly appropriate and trade off the Complainant’s WOW mark, and to capitalize on consumer confusion by directing consumers to an unauthorized website, filled with unauthorized copies of the Complainant’s artwork, screenshots and videos of the Complainant’s gameplay, claiming to provide an expansion for the Complainant’s game. The Complainant adds that an inference of bad faith may be drawn from the fact that the Respondent registered the disputed domain name via a domain name privacy service, which the Complainant says was to make it more difficult for the Complainant to obtain relief under the Policy, or to avoid or delay a lawsuit. The Complainant asserts that the Respondent had actual knowledge of the Complainant’s trademark rights because it expressly refers to the Complainant’s corresponding game, makes depictions of the Complainant’s game characters, and uses copyrighted artwork from the Complainant’s game, while adding that constructive knowledge of the Complainant’s rights is evidenced by the registration of its marks alone.

B. Respondent

The Respondent contends that the Complainant has not satisfied the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Respondent contends that there is no recognizable incorporation of the Complainant's mark in the disputed domain name, in that, when considered in its full context, the disputed domain name forms a single coined expression where the term "turtle" is the dominant and defining element. The Respondent adds that the phrase in the disputed domain name conveys a distinct visual, phonetic, and conceptual impression that is different from the Complainant's WOW mark, transforming the meaning into something new which connotes a slower, more relaxed, community driven variant of the legacy game experience rather than a corporate identifier, asserting that where contextual elements substantially alter a mark's impression, confusion is unlikely. The Respondent cites three previous cases under the Policy, discussed generally in section 6.2 below, which it says are authority for the proposition that added descriptive or distinctive terms can change the overall impression. The Respondent states that the presence of prominent disclaimers at the top and bottom of the pages on the associated website and the context mean that no user could believe it to be an official platform, referencing historic screenshots. The Respondent cites two previous cases under the Policy, discussed generally in section 6.2 below, which it says are authority for this proposition.

The Respondent notes that the term "wow" is a common English interjection and is not a proprietary term of the Complainant, adding that its presence in the disputed domain name serves to describe compatibility with the legacy game environment and signals subject matter, not source. The Respondent adds that the Complainant's inconsistency in referring to the disputed domain name and to a domain name <turtle-wow.com> suggests that the Complainant depends upon the extraction of the term "wow" and not of the totality of the disputed domain name. The Respondent concludes its contentions on the first element assessment by noting that even if the Panel finds the WOW mark is recognizable in the disputed domain name, the outcome of the proceeding turns on the second and third element analysis of the Policy.

The Respondent asserts that since 2018 it has operated a genuine fan and community preservation project, which includes the preservation by enthusiasts of a cultural work created by others, noting that it has provided clear disclaimers of non-affiliation on every page since at least 2019, and adding that its community rules prohibit any form of monetization, frame its efforts as cultural preservation and academic study, and emphasize noncommercial operation and the Respondent's independence from the Complainant. The Respondent cites five cases under the Policy which it says are authority for the proposition that good faith fan-based initiatives constitute legitimate, noncommercial use within the meaning of paragraph 4(c)(iii) of the Policy. As discussed in section 6.2 below, none of the cited cases appears to exist.

The Respondent asserts that it includes the mark WOW in the disputed domain name only to identify the subject under discussion, adding that WoW is confined to context explaining compatibility and history, that the term "Turtle WoW" has become a shorthand within the community to describe the slow-paced play style of its preservation project, and that according to the case of *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#), fair and nominative use are recognized where a respondent accurately identifies the subject under discussion and makes clear its independence.

The Respondent submits that there is no evidence to support the Complainant's suggestion that the Respondent is engaged in commercial activity, adding that no advertising or affiliate tools are embedded in the source code, that the optional donation page merely covers hosting expenses, while donors receive "no in-game advantages or other benefits", and that archived screenshots show a consistent non-profit character. The Respondent asserts that the website associated with the disputed domain name contains no infringing downloads or circumvention software, adding that the site's rules forbid uploading or distributing copyrighted client files. The Respondent cites one case under the Policy, discussed generally in section 6.2 below, which it says is authority for the proposition that accurate descriptors in meta tags are not evidence of bad faith. The Respondent states that its "Turtle WoW" identity, used since 2018, functions as the community's identity independent of the Complainant's marks, adding that its mission statement confirms that it is not a derivative trade name but a "community label". The Respondent references the WIPO

Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ([WIPO Overview 3.0](#)), sections 2.13 to 2.13.2 in connection with its position regarding the legitimacy of its alleged fan site.

The Respondent contends that there has been no attempted sale of the disputed domain name, no blocking of the Complainant, and no abusive pattern of registrations, but rather that there has been one domain name, one project and consistent ownership since 2018, adding that its privacy protection is standard and neutral, preventing spam and harassment. The Respondent cites one case under the Policy, discussed generally in section 6.2 below, which it says is authority for the proposition that privacy alone does not prove bad faith, adding that its transparency in publishing disclaimers and contact channels demonstrates the opposite of concealment. The Respondent asserts that because its project is not commercial, it is not a competitor to the Complainant, adding that it is not the Complainant's commercial rival. The Respondent says that Panels under the Policy consistently distinguish between commercial operators and fan or educational projects, and cites one case under the Policy, discussed generally in section 6.2 below, which it says is authority for the proposition that purely noncommercial use, even when referencing a well-known mark, is consistent with good faith. The Respondent repeats that its project contains no monetization, whereby it contends that there can be no attraction for commercial gain, adding that search engine results for the website associated with the disputed domain name are labeled as a non-affiliated fan project. The Respondent cites one case under the Policy, discussed generally in section 6.2 below, which it says is authority for the proposition that non-profit educational intent is incompatible with bad faith. The Respondent adds that the doctrine of passive holding does not apply because its website is active, and submits that there is no evidence of imitation of the Complainant's website. The Respondent says that its website contains descriptive meta tags regarding its fan project and non-affiliated status, citing one case under the Policy which it says is authority for the proposition that truthful meta data does not establish bad faith. The Respondent asserts that the separate "parallel" litigation described by the Complainant has no bearing upon the present administrative proceeding.

The Respondent concludes that the strongest proof of its good faith is its consistent public acknowledgement of the Complainant's ownership rights by way of disclaimers prominently placed at the top and bottom of every major page stating that "World of Warcraft remains the intellectual property of Blizzard Entertainment" and that "Turtle WoW is not affiliated with Blizzard."

C. Complainant's Supplemental Filing

In summary, the Complainant contends as follows: The Complainant notes that only those with an active, password protected WoW client and account can play the Complainant's game, noting that technical measures are taken to prevent use by or with unauthorized pirate emulated servers, adding that appropriate prohibitions are included in its End-User License Agreement. The Complainant therefore submits that the Respondent must have created a modified, pirated version of the Complainant's client, adding that the website associated with the disputed domain name also advertises an unauthorized recreation of said game.

The Complainant refers to the "open letter" which the Respondent published on its website, adding that the Respondent's characterization of the website associated with the disputed domain name as a fan initiative to discuss a cultural work is untrue, adding that it induces, facilitates, and onboards individuals to an infringing emulated server network directly competing with the Complainant's video game, and noting that whether the website operators claim to be "fans" does not make the site a "fandom" site or excuse their use of the Complainant's trademark to promote the same. The Complainant asserts that the first item on said website is a promotional statement that it offers an expansion story to enhance the game, and promotes many "new" features and content to provide "a unique WoW experience", noting that this is said to contain the "full original WoW 1.12 API preservation". The Complainant explains that said website contains a "launcher" which is available for download, and fetches an infringing copy of the Complainant's software that has been modified to remove the Complainant's technological controls.

The Complainant states that the Respondent's claim that its website is noncommercial is false or misleading, asserting that the offering is a sophisticated business enterprise, and describing the payment page through which tokens are purchased for "rewards". The Complainant says that the latter compete with in-game

cosmetics and virtual items offered by the Complainant in its in-game store, and infringe the Complainant's rights due to the inclusion of artwork and virtual currency derived from the Complainant's game. The Complainant describes the statement made by the Respondent's marketing manager, and notes the extent of the team, adding with reference to a previous case under the Policy that where a fan tries to make money in a fan site, the domain name has been regarded as being used in bad faith. The Complainant notes that the website itself lists a team member whose job description is "managing relations with the sponsors, in short, gaining our daily bread", and adding that the site contains publicity banners. The Complainant states that the Respondent cannot use the term "donations" to disguise a profit motive, especially where donors are compensated with points permitting the purchase of virtual goods competitive with those of the Complainant.

The Complainant contends that the Respondent has not offered evidence that its website serves any academic or educational purpose, noting that a review of its forums shows these are dedicated to the Respondent's server, including items such as "Help and Support" and "Guild Recruitment", and adding that the community discussion contains extensive content about the site's infringement of the Complainant's intellectual property rights. The Complainant submits that the use of its trademark for such a website is unequivocally bad faith under the Policy, adding that this was held in near identical circumstances in *Nexon America Inc. and Nexon Korea Corporation v. Name Redacted*, WIPO Case No. [D2023-4279](#), which also involved "donations" compensated with "points", and regarded this as use of a domain name for an illegal activity. Other previous cases under the Policy have found that similar activities disrupt a complainant's business and violate their terms of service, all constituting bad faith use of the domain name concerned.

The Complainant submits that the Respondent's purported "disclaimer" is not a disclaimer and instead fosters confusion, noting that there is no evidence of any statement that the project is not affiliated with the Complainant, and adding that if the Respondent is intending to rely on its "open letter", this was only published weeks after the Complaint was filed. The Complainant notes that the statement on the Respondent's website's footer is not prominent, requiring the user to scroll through six pages of WoW imagery and artwork, and adding that the purported disclaimer is wholly ambiguous in that it says nothing about whether the Respondent's website is unauthorized or unaffiliated, and asserting that the phrase suggests the website is an authorized, licensed (by the Complainant) fan creation. The Complainant contends that in any event such "disclaimer", even if it were non-ambiguous, would not cure the overarching bad faith.

D. Respondent's Supplemental Filing

In summary, the Respondent contends as follows: The Respondent states that the Complainant re-labels the Respondent's longstanding community activity as a "competing expansion" and attempts to transform volunteer coordination and community growth as evidence of a for-profit enterprise, adding that the size or popularity of a fan community, even that of a large online community, would not negate legitimate interest, and that the focus is on whether the use of the disputed domain name is genuinely noncommercial, clearly presented as unofficial, and not misleading. The Respondent notes that its project has no compensation structure and no employees, adding that its volunteers participate without remuneration.

The Respondent repeats that it fulfils the fan site criteria of the [WIPO Overview 3.0](#), adding that the disputed domain name makes referential use identifying the subject matter of such fan project, noting that its site is consistently branded as such community project rather than that of an offering of the Complainant. The Respondent cites three cases under the Policy, all non-existent and false citations, that it says are authority for the proposition that "disclaimers, distinct branding, and absence of commercial exploitation support a finding of legitimate interest under paragraph 4(c)(iii)". False citations are discussed in section 6.2 below.

The Respondent notes that some incidental or cost-recovery activity does not automatically strip a site of its noncommercial character, if there is no intent for commercial gain from misleading diversion. The Respondent cites three cases under the Policy, only one of which exists, which it says confirm the critical question is whether users are misled, and whether the project seeks to trade on confusion to sell goods or services. The Respondent states that its token recognition does not function as a currency or provide gameplay advantages, adding that the record contains no evidence of competitive commerce, and indicating

that the record shows the opposite, namely a transparent, donation-supported community project that does not sell access to its game.

The Respondent says that the record shows no distribution of the Complainant's client software or assets, adding that its launcher does not contain the Complainant's proprietary data, adding that this claim comes from the Complainant's litigation, which the Panel is not adjudicating. With reference to the Complainant's allegation that the Respondent changed its content, the Respondent notes that the historical archive evidence from 2018 to date shows the evolution of the look of a multi-year community project, that its "non-affiliation disclaimers" and preservation-focused messaging have been present since long before the administrative proceeding, that "disclaimers" are present in the "header, footer, and key informational pages not hidden in fine print", and that the "open letter" did not replace or add disclaimers. The Respondent says that the "open letter" is evidence of good faith behavior, reflecting an effort to explain the project to the community, adding that its website redesign is natural for a multi-year community project. The Respondent notes that its "disclaimer" is a relevant factor in assessing the second and third elements under the Policy, particularly if site content is consistent with non-affiliation.

The Respondent asserts that, where there are parallel court proceedings, the Panel retains its discretion in terms of how to proceed, but that whether there is any copyright infringement or DMCA violation is a question for domestic courts, adding that the Respondent's actions have not yet been found "illegal". The Respondent requests the Panel not to make a finding of bad faith from mere allegations in such a lawsuit, adding that they are beyond the scope of the Policy, and do not alter the analysis to be made under the Policy.

6. Discussion and Findings

6.1. Procedural Issue: Parties' Supplemental Filings

Paragraph 12 of the Rules expressly provides that it is for the panel to request, in its sole discretion, any further statements or documents from the parties it may deem necessary to decide the case. Unsolicited supplemental filings are generally discouraged, unless specifically requested by the panel. [WIPO Overview 3.0](#), section 4.6.

Panels have sole discretion, under paragraphs 10 and 12 of the Rules, whether to accept an unsolicited supplemental filing from either party, bearing in mind the need for procedural efficiency, and the obligation to treat each party with equality and ensure that each party has a fair opportunity to present its case. The party submitting a supplemental filing would normally need to show its relevance to the case and explain why it was unable to provide that information in the complaint or response (for example, owing to some exceptional circumstance).

As noted in the procedural history section above, the Complainant filed a supplemental filing on November 18, 2025. The Complainant asserted that there were exceptional circumstances for this, notably that the Response relied upon a new version of the website associated with the disputed domain name which did not exist when the Complaint was filed, including a purported "open letter" to the Complainant. The Complainant also noted that the Response disclosed for the first time the Respondent's argument that said website was for the purposes of historical preservation rather than to market and onboard users to an unlawful private network of World of Warcraft servers.

On November 20, 2025, the Respondent filed an opposition to the Complainant's request that its supplemental filing be considered on the basis that no exceptional circumstances existed, and that the Complainant was attempting to introduce new factual allegations, theories and evidence. The Respondent went on to assert that allowing the Complainant's filing into the record would prejudice the Respondent and undermine procedural fairness, noting that if the Panel nevertheless accepted the Complainant's submission, the Respondent sought leave to file its own supplemental filing (provided) to safeguard the procedural balance.

The Panel rejects the Respondent's objection to the admission of the Complainant's supplemental filing. In particular, the Complainant is correct that the Respondent's publication of a detailed "open letter" to the Complainant is dated October 17, 2025, i.e., after the filing of the Complainant's amendment to the Complaint. In these circumstances, given that the date of this material is known to the Respondent and was entirely under its control, the Panel finds it somewhat surprising that the Respondent would seek to oppose the Complainant being permitted to comment regarding this. Notably, the Respondent characterized its activities in such letter (whether or not this is an expansion of its position as previously outlined on the website associated with the disputed domain name) as being part of a "well-structured community-server ecosystem". It would be prejudicial to the Complainant's interests not to allow it a right of reply on this matter and on the detailed terms of the Response. The Respondent had already taken the opportunity to file its own reply to the Complainant's supplemental filing, whereby it would not be prejudiced by the latter being admitted.

The Panel considers that the appropriate disposal is to allow both the Complainant's supplemental filing and the Respondent's supplemental filing in answer to be admitted into the record, noting that this is procedurally efficient, treats each party with equality, and ensures that they both have a fair opportunity to present their case.

6.2. Preliminary issue: Respondent's mis-citation of previous cases under the Policy

The Panel has specifically noted on multiple occasions in the summary of the Respondent's contentions above that the Respondent quoted multiple previous cases under the Policy as authorities for various propositions which it wished to make. The Panel has been concerned to note that the vast majority of these cases do not exist and that the citations are false. At least one case that was wrongly cited does exist, but under a different case number. The various cited cases that do exist are not authorities for the proposition which the Respondent says that they are, and, had they been read by the Respondent, this would have been obvious to it. To quote just one example of several, the Respondent submits that in both *Ticketmaster Corporation v. DiscoverNet, Inc.*, WIPO Case No. [D2001-0252](#) (mis-cited as *Ticketmaster Corp. v. Domain Connections*, though with the correct case number), and *The Knot, Inc. v. In Knot We Trust LTD*, WIPO Case No. [D2006-0340](#), panels found that prominent disclaimers and distinct site presentation were sufficient to distinguish the respondent's fan or commentary websites from the complainant's official domain names. However, both of these cases were decided against the respondent concerned, not in its favor, and neither of the cases included any discussion of disclaimers. In neither case was the respondent's website a fan or commentary site.

The Respondent continued to compound matters by including similar false citations in its supplemental filing. As just one example, it quoted a case under the Policy as establishing a legitimate interest where a fan site included disclaimers and noncommercial use. The case at the relevant number was a different case which did not deal with a fan site, and in which transfer of the domain name concerned to the complainant was ordered.

Where cases were mis-cited and did not exist, the Panel was also put to the additional trouble of assessing whether there was any possibility that the Respondent had simply got the case numbers wrong and the cases did exist under different numbers. This involved checking the named parties for the existence of a suitable alternative case reference. In false examples generated by the Respondent where a prolific complainant or respondent under the Policy had been named, this required the Panel to look up many tens of cases to establish that no such complainant or respondent had engaged with another party of a suitable name as described in the Respondent's mis-citation (or in the case of at least one citation, to track the actual intended case down under a different case number even if it was then of no actual relevance to the matter in hand). The reader will not be surprised to learn that all of this took (and wasted) an inordinate amount of the Panel's time. The Respondent is fortunate that the Panel went to this trouble as a very small number of its citations were accurate, or inaccurate but identified, and were actually relevant to the Respondent's propositions. However, parties to administrative proceedings under the Policy should not assume that future panels will necessarily undertake this detective work once they have found, say, more than one falsely cited case.

The Panel does not know why the Respondent cited as many cases inappropriately as it did, although it is not beyond the bounds of probability that the Respondent may have used generative artificial intelligence in assisting it to make its arguments. If so, this case illustrates the present limits of that technology more effectively than any other that the Panel has seen to date, together with the danger of relying upon its output without performing adequate (or possibly any) checks. The false citations bear all the hallmarks of what has been termed “hallucinations” of a large language model.

The Panel takes the view that the Respondent’s certification in the Response that the information contained therein is to the best of the Respondent’s knowledge complete and accurate is called into question by its provision of a significant number of false or otherwise irrelevant citations to previous cases under the Policy, because a party must be deemed to know and understand the submissions which it is making. Such misstatements, when made repeatedly (whereby they cannot be regarded as an inadvertent mistake, misinterpretation or other minor omission) are material to the Panel’s deliberations and, where accompanied by a declaration of truth and accuracy, must be treated as an attempt to mislead the Panel. Such citations do not further a respondent’s case, but rather cause actual damage to its chances of success.

As this Panel noted recently in *Arcelormittal v. Ruben Puerto*, WIPO Case No. [D2025-2916](#), an indication that a respondent may have used such a technical tool to generate a response is unlikely to inspire confidence with this Panel as to the veracity of its content, unless the Panel could be satisfied that the output has been reviewed for accuracy and truth before its submission, which is evidently not the case here. The simple expedient of checking the citations using the Center’s decision search tool would have revealed either that they did not exist or were not appropriate for the point being made.

The Respondent’s conduct here has an inevitable knock-on effect upon the credibility of its case as a whole. In particular, this Panel is likely to make an adverse inference in respect of any material factual assertions contained in the Response that are lacking sufficient support in the evidence. These too could be “hallucinations” depending upon the prompts, or lack of accurate prompts, supplied by the end user. Notably, in the present case, that includes the Respondent’s un evidenced assertion that there is a disclaimer of non-affiliation present at the top of each major page on the website associated with the disputed domain name. The Panel finds this assertion to be entirely unsupported on the evidence before it, and therefore more likely than not to be untrue.

6.3. Preliminary issue: Effect of Court Proceedings

Paragraph 18 of the Rules contemplates the fact that legal proceedings in respect of a domain name dispute that is the subject of the Complaint may be initiated prior to or during an administrative proceeding, and that such proceeding may be terminated or suspended in consequence, or the Panel may proceed to a decision, in its discretion.

Here, the Complainant has described ongoing litigation between the Parties, or possibly related parties, which has been helpful to the Panel in terms of understanding some aspects of the factual matrix. However, the legal proceedings concerned do not appear to be in respect of the domain name dispute that is the subject of the Complaint. Consequently, the Panel will proceed to a Decision on the present record and adds that it does not address this to any other forum that may be seized of those matters described in the said court action, or of any other related matters.

6.4. Substantive Issues

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.

The entirety of the mark is reproduced and is recognizable 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, “turtle-” 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.

The issue between the Parties on this element, as focused in their contentions above, is whether the Respondent could be said to be making a legitimate noncommercial or fair use of the disputed domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue, conform to paragraph 4(c)(iii) of the Policy. The essence of the Respondent’s case is that its website constitutes a noncommercial fan site, and that the disputed domain name merely contains a permissible descriptive or nominative reference to the Complainant’s trademark, “solely for identifying compatibility with [the Complainant’s] game [...] similar to how [certain trademarks, such as PS5] are used to denote platform compatibility”. Allied to these assertions are the Respondent’s contentions that it has always been clear that its website is a community and volunteer driven project without a commercial motive, and that this is evident from a disclaimer at the top and bottom of each page.

The Panel will assess these matters with reference to the core factors which panels under the Policy typically consider when faced with a claim of fair use of a domain name. [WIPO Overview 3.0](#), section 2.5. These are grouped into sections considering (1) the nature of the disputed domain name on its own, [WIPO Overview 3.0](#), section 2.5.1, (2) circumstances beyond the disputed domain name itself including website content and any other overall facts and circumstances, [WIPO Overview 3.0](#), section 2.5.2, (3) the issue of any commercial activity identified in terms of the disputed domain name, [WIPO Overview 3.0](#), section 2.5.3, and (4) specific issues relating to fan sites, [WIPO Overview 3.0](#), section 2.7 (the section at 2.6 relating to criticism sites being inapposite).

Turning first to the composition of the disputed domain name, the Parties do not dispute that the Complainant’s WOW mark is included, although the Respondent’s additional case that the term means an expression of surprise in the English language does it no favors, especially as the Respondent’s intent could not be described as anything other than deliberately to reference the Complainant’s WOW mark, something that the Respondent fully acknowledges when arguing that it is entitled to make fair referential use thereof. The Respondent’s argument that the addition of the word “turtle” with a hyphen somehow turns the string in

the disputed domain name into something new also seems disingenuous given that it cannot be denied that “wow” is intended to reference the Complainant’s mark.

“Turtle” is a qualifier for the Complainant’s mark in the disputed domain name. However, this signals nothing specific to the Panel and there is no evidence that, before the Respondent adopted it, it had any meaning whatsoever in the community which might reference a slower-paced game experience that would distinguish it from the Complainant’s mark or, for that matter, might mean that the Respondent was necessarily making referential use thereof. The Panel does not in any event accept that a slower-paced game, even if denoted by the qualifier, necessarily distinguishes the disputed domain name from the mark or makes fair referential use of it. For example, if the Complainant introduced such a game, it might call it thus, and to the Panel’s mind such a composition does not signal the involvement of an unauthorized third party acting allegedly in tribute to the Complainant’s game, as is suggested here. On the contrary, the presence of the Complainant’s mark without a qualifier that clearly signals any form of noncommercial, volunteer or fan efforts suggests sponsorship or endorsement when there is none.

This is the key point in dealing with the composition of the disputed domain name in the present case because even where, as here, a domain name consists of a trademark plus an additional term (at the second- or top-level), UDRP panels have largely held that such composition cannot constitute fair use if it effectively impersonates or suggests sponsorship or endorsement by the trademark owner. [WIPO Overview 3.0](#), section 2.5.1. The Panel cannot see how such sponsorship or endorsement is precluded by the addition of the term “turtle-” to an exact match for the Complainant’s WOW mark in the disputed domain name. Section 2.5.1 goes on to note that terms within the trademark owner’s field of commerce or indicating services related to the brand, or which are not obviously critical, may or may not by themselves trigger an inference of affiliation, and would normally require a further examination by the panel of the broader facts and circumstances of the case – particularly including the associated website content – to assess potential respondent rights or legitimate interests. The Panel therefore turns to the website content, which purports to operate a fan site hosting or at least promoting a legacy version of the Complainant’s game.

Two of the factors which may facilitate the assessment here are first, whether it is clear to Internet users visiting the Respondent’s website that it is not operated by the Complainant, and, secondly, whether a prominent link (including with explanatory text) is provided to the relevant trademark owner’s website. [WIPO Overview 3.0](#), section 2.5.2. The Respondent makes much of the fact that the alleged community-driven nature of its site is clearly identified on principal pages. That much is true, although the problem with this for the Respondent is that it is not a complete answer to the Complainant’s case. Even if the website makes it clear that it is not operated by the Complainant (as opposed to by a group of volunteers or a “community”) the extensive use of the Complainant’s trademark (and, presumably, artwork and other copyright material based upon alleged archival use of the Complainant’s game) falsely indicates that the site is operated with the Complainant’s blessing, and most probably with licenses of its intellectual property, when it is not.

The wording of the Respondent’s “disclaimer” or statement on its footer, as discussed below in connection with registration and use in bad faith, also does not exclude this possibility. Indeed, it is not a disclaimer at all but merely a statement acknowledging the Complainant’s intellectual property rights which, for example, might have been required by the terms of a suitable license and does not expressly set out the Respondent’s non-affiliation with the Complainant in any way. It is possible that the Respondent realized that this might be a weakness in its case after the Complaint was notified, and that it attempted to rectify this (unsuccessfully from the Panel’s point of view as it is too little, too late) by the publication of the “open letter” on the site. This letter acknowledges that certain game studios promote officially sanctioned fan community ecosystems, which underscores the fact that although the Respondent clearly announces that it is a fan or community site, such an announcement on its own is neutral as to whether the Respondent is officially sanctioned. Finally, on the disclaimer issue, it must be added that neither of the Parties identified the presence of a link to the Complainant’s official website, prominent or otherwise, for the game concerned, and the Panel has found a prominent link in the screenshots of the Respondent’s website that have been produced.

While sections 2.5.1, 2.5.2, and 2.5.3 of the [WIPO Overview 3.0](#) deal generally with how panels under the Policy approach claims of noncommercial fair use, section 2.7 deals specifically with such a claim on the

basis of use for a fan site. The section notes that the site must be active, genuinely noncommercial, and clearly distinct from any official complainant site, adding that in cases where the respondent claims to have a true fan site, panels sometimes find that it is primarily a pretext for cybersquatting or commercial activity. Meanwhile, section 2.7.3 of the [WIPO Overview 3.0](#) notes that panels tend to find that the respondent has a legitimate interest in using the mark as part of the domain name for a fan site if such use is considered to be fair in all of the circumstances of the case, adding that where such a site is noncommercial in nature, this would tend to support a finding that the use is a fair one, and that some panels have found that a limited degree of incidental commercial activity may be permissible in certain circumstances, such as to offset registration or hosting costs.

It is clear to the Panel that the extent to which the Respondent's site is commercial or genuinely noncommercial is a key consideration here. The Respondent places itself squarely in the genuine noncommercial category, arguing that its requested "donations" are merely intended to offset incidental running costs. The problem for the Respondent is that it provides absolutely no evidence in support of its position. There is no indication as to what the site costs to run, or what the Respondent makes from its donations, including any surplus, and the fact that it has failed to share this information is fatal to its case on this topic, in that it cannot demonstrate that these are, at most, incidental. The impression that the Panel gains in the absence of this critical information is that the Respondent's site is a slick and very commercial-seeming operation. Of some significance is that it accepts payments for "donations" by way of a very wide variety of methods, including certain credit cards on an international basis for which the Panel assumes the usual merchant accounts would be required. Critically, the Respondent offers its donors something in return by providing "a variety of cosmetic and Quality of Life rewards," accessible in-game, as an incentive to donate. This looks to the Panel exactly like something that the official game would do on a normal commercial basis and it runs contrary to the Respondent's statement that donors receive no in-game advantages or other benefits. The Respondent seems to be asserting that because the "rewards" do not directly influence whether a user wins the game, they are not benefits. The Panel disagrees. Any enhanced experience is a benefit, and in the Respondent's world, that is only available via a "donation". Furthermore, the existence or at least previous use of terminology by the Respondent relating to "promotional sales" does not strike the Panel as anything other than commercial in nature.

In short, the Panel considers that the Respondent's "donations" scheme is designed purely to create a false impression of genuine noncommercial activity when in fact it bears the principal hallmarks of a commercial scheme. In the Panel's view, one cannot convert a commercial activity into a noncommercial one purely by the use of terminology such as "donations," "tokens", and "rewards". What matters is that users are paying real money as a "donation", that the "tokens" obtained in return are redeemable for a "reward", i.e., a service involving an enhanced experience, and that this is exactly how many commercial games work. It must be said that in a relatively recent case under the Policy such a model involving "donations" (seen by the panel to be a direct substitution for the game developer's own virtual enhancements) has been found to preclude the existence of rights and legitimate interests and likewise has been found to be a use of the domain name concerned in bad faith (see: *Nexon America Inc. and Nexon Korea Corporation v. Name Redacted*, WIPO Case No. [D2023-4279](#)). That the Respondent seeks to counter this by reference to false citations to Policy precedent cannot help it.

When the wider context is viewed, the Panel is reinforced in its opinion as to the commercial nature of the Respondent's activity on the balance of probabilities. The description of the Respondent's marketing director's achievements for the site do not sound like a volunteer-driven community project.

The Panel accepts the Respondent's assertion that successful scaling of a community project in itself would signal nothing significant.

Nevertheless, the Panel must ask itself why, if this is a grassroots, voluntary effort of enthusiasts, it is necessary to manage a "brand" to achieve "1.5 million organic YouTube views" (again the Panel notes that this will likely involve monetization) and "quadrupling engagement on all social platforms" by way of a "7 man marketing department". Enthusiasts for a legacy game or academics interested in a cultural preservation project do not need their "engagement" quadrupled by a "marketing department", for example. They will

simply put their own effort into seeking out their game of interest online and find it wherever it can be found. While none of the marketing manager's claims, taken on their own, necessarily exclude the possibility of noncommercial activity, the fact that this looks far more like a major commercial effort than a volunteer-driven group of enthusiasts must be added to the analysis the Panel has made of the Respondent's "donation" model.

The Panel adds for completeness that the Respondent's citation of the "Oki Data test" ([WIPO Overview 3.0, 2.8](#)) is somewhat misplaced. The Respondent is not a reseller of the Complainant's goods, is not using its site only to sell the trademarked goods, and is not accurately and prominently disclosing its (lack of) relationship with the trademark holder. On the latter topic, see the discussion on the Respondent's "disclaimer" in the section below.

Taking all of these matters together, the Panel is not satisfied that the disputed domain name is being used for a genuine noncommercial fan site which would allow the Respondent access to the safe harbor of paragraph 4(c)(iii) of the Policy.

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.

In the present case, the third element analysis largely follows that of the second element. If the Respondent registered and used the disputed domain name in connection with its operation of a genuine, noncommercial, non-pretextual, fan site, then it follows that it would have registered the disputed domain name in good faith. However, the Panel's analysis above suggests that the disputed domain name is being used in connection with a large-scale commercial activity which takes unfair advantage of the Complainant's trademark rights. The Respondent's claim that it is using the Complainant's mark for its substantial activities on a fair, referential basis is not borne out by the evidence, and the use of terms such as "donations" or to characterize the operation as educational, nostalgic, academic, or for reasons of "cultural preservation" seems to the Panel to be nothing more than a calculated and deliberate smokescreen. Despite the fact that the website content might express the Respondent's contention that it is "fan-made", the presence of the Complainant's trademark in the disputed domain name nevertheless suggests to the public that the Respondent's activities proceed with the Complainant's imprimatur in some fashion, and this is likely to cause confusion to the relevant public, to the Respondent's commercial benefit, resulting in the increased sale (promotional or otherwise) of "tokens" via "donations". Although written after the filing of the Complaint, the Respondent's "open letter" strongly suggests that it was well aware of this when it registered the disputed domain name, given that it shows an understanding that this was registered without the Complainant's blessing, and that it knew there was a risk of "legal conflict".

The Respondent would have the Panel believe that all and any confusion would be dispelled by the presence of its "disclaimer" at the foot of most of the pages of the website. This of course excludes the confusion arising from the presence of the Complainant's mark in the disputed domain name, whereby the Respondent benefits from increased traffic to its website even if such confusion might be dispelled upon arrival there. [WIPO Overview 3.0](#), section 3.7 provides that in cases where the respondent appears to otherwise have a right or legitimate interest in a disputed domain name, a clear and sufficiently prominent disclaimer would lend support to circumstances suggesting its good faith. For example, where a respondent is legitimately providing goods or services related to the complainant's mark only (referencing the Oki Data test discussed above), the presence of a clear and sufficiently prominent disclaimer can support a finding that the

respondent has undertaken reasonable steps to avoid unfairly passing itself off as related to the complainant, or to otherwise confuse users. However, the section goes on to say that, on the other hand, where the overall circumstances of a case point to the respondent's bad faith, the mere existence of a disclaimer cannot cure this. In such cases, panels may consider the respondent's use of a disclaimer as an admission by the respondent that users may be confused.

Here, it must be said that the Panel has not found that the Respondent appears to have a right or legitimate interest in the disputed domain name, and furthermore has found that the Respondent's "disclaimer" is not a really a disclaimer as such. It is an acknowledgment of the Complainant's intellectual property rights, but such acknowledgment, on its own, tends to suggest that the Respondent has the right, whether by license or otherwise, to use the Complainant's marks in its "fan-made" project when it does not. Crucially, the wording does not specify the Respondent's non-affiliation to the Complainant, and seems carefully calculated to suggest otherwise, or at least to take advantage of an ambiguity which might indicate to users that the site is the kind of officially sanctioned community described in the Respondent's "open letter" when it is not. The disclaimer's wording is thus not "clear," as section 3.7 of the [WIPO Overview 3.0](#) puts it. Nor is it "sufficiently prominent." The wording appears at the foot of the page in very small grey text on a black background. It is highly likely that most users of the website would miss it entirely. The Respondent repeatedly states in its submissions that its non-affiliation to the Complainant is specified at the top of every page of the website. This is untrue as there is no such specification. Stating that the site, or the game, is "fan-made" or "community-driven" does not by itself amount to a clear declaration of non-affiliation. The Respondent is not legitimately providing goods or services related to the Complainant's mark only, or at all. The Panel finds that the Respondent has not undertaken reasonable steps to avoid confusing users.

The Panel adds for completeness that while it is not in a position to assess whether the Respondent's game illegally uses any of the Complainant's software code or copyrighted artwork, it must be observed that the statement on the Respondent's website that "The Site and Services do not support or provide modifications to any original game files" does not exclude the possibility that illegal copies of the Complainant's original game files could be in use. The further statement that "By using the Site or Services, users agree to comply with the original game's End User License Agreement (EULA)" tends to reinforce this impression as there would be no need to have any engagement with the Complainant's EULA if there was no use of the Complainant's code in the Respondent's game. In any event, the Complainant's EULA appears to preclude the use of private, non-official servers such as that operated by the Respondent. The Panel asks itself why the Respondent felt it necessary to make these statements if it was not using the Complainant's game files.

Taking all of the above into consideration, the Panel has reached the conclusion that the Respondent's activities in connection with the disputed domain name and related website strongly indicate a finding of registration and use of the disputed domain name in bad faith insofar as the terms of the Policy are concerned. The Panel finds that by using the disputed domain name, 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 mark as to the source, sponsorship, affiliation, or endorsement of such website and of a product or service on said website.

This decision is not intended to preclude the Respondent operating a genuinely noncommercial fan site in tribute to the Complainant's game or indeed providing its present game under a domain name that does not reference the Complainant's trademarks (assuming it does not use the Complainant's code or otherwise violate the Complainant's intellectual property). The issues it might continue to face in respect of such website or game arising out of the lawsuit described in the factual background section above are beyond the scope of this administrative proceeding.

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 <turtle-wow.org> be transferred to the Complainant.

/Andrew D. S. Lothian/

Andrew D. S. Lothian

Sole Panelist

Date: December 1, 2025