

ADMINISTRATIVE PANEL DECISION

FRILAX CO LIMITED v. Eugene Gonzales, Evgeniya Tolstova
Case No. D2025-4187

1. The Parties

The Complainant is FRILAX CO LIMITED, Cyprus, represented by Profit Mark, Ukraine.

The Respondents are Eugene Gonzales, Spain and Evgeniya Tolstova, Russian Federation.

2. The Domain Names and Registrars

The disputed domain name <zoomecasino-au.com> is registered with Realtime Register B.V., and the disputed domain name <zoome-casinos.com> is registered with URL Solutions, Inc. (jointly, the “Registrars”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on October 13, 2025. On October 13, 2025, the Center transmitted by email to the Registrars requests for registrar verification in connection with the disputed domain names. On October 14, 2025, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Unknown Respondent) and contact information in the Complaint.

On October 14, 2015, the Center sent the Notice of Registrant Information to the Complainant, copying the Respondents. The Notice contained the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, and invited the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that both disputed domain names are under common control. The Center received two email communications on October 14 and 15, 2025, from the email address associated with the disputed domain names. The Complainant filed an amended Complaint on October 16, 2025.

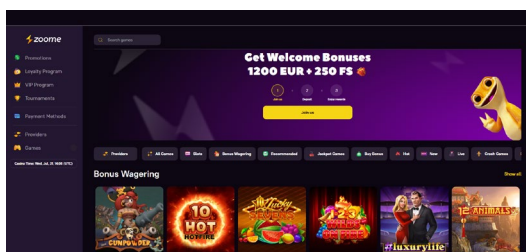
The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).


In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondents of the Complaint, and the proceedings commenced on October 24, 2025. In accordance with the Rules, paragraph 5, the due date for Response was November 13, 2025. The Respondents did not submit any response. The Center notified the Parties of the Commencement of Panel Appointment on November 21, 2025.

The Center appointed Assen Alexiev as the sole panelist in this matter on December 1, 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

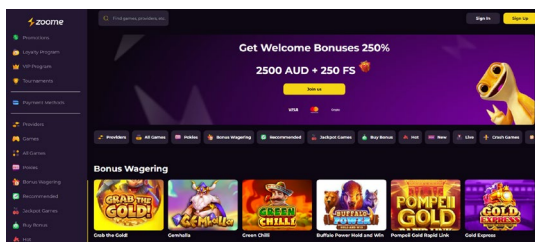
The Complainant is active in the online casino and gambling sector. It operates its official website at the domain name <zoome.casino>, registered on-September 1, 2021. The Complainant’s website had the following appearance¹ on July 31, 2024 (several days prior to the registration of the earlier of the disputed domain names):²



The Complainant is the owner of the European Union trademark  **zoome** with registration No. 019074936, registered on January 21, 2025 for services in International Class 41 (the “ZOOMER trademark”).

The disputed domain name <zoome-casinos.com> was registered on August 5, 2024, and the disputed domain name <zoomecasino-au.com> was registered on October 3, 2024. When an attempt is made to access them, Internet browsers display the error message “ERR_TOO_MANY_REDIRECTS”.

On December 3, 2024, the disputed domain name <zoome-casinos.com> resolved to the following gambling website with the tab title “Zoome Casino Online Australia with Classic Pokies and Live Games”:³

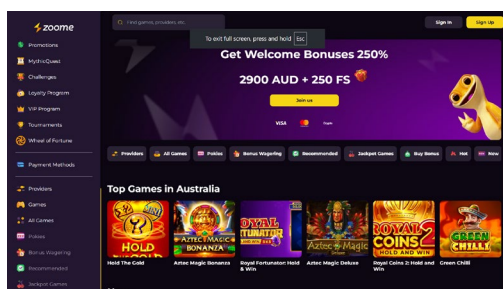


¹ Noting the general powers of a panel articulated in paragraphs 10 and 12 of the Rules, it is commonly accepted that a panel may undertake limited factual research into matters of public record, as the Panel has done in this proceeding. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition (“WIPO Overview 3.0”), section 4.8.

² “https://web.archive.org/web/20240731141431/https://zoome.casino/”

³ “https://web.archive.org/web/20241203100213/https://zoome-casinos.com/”

The disputed domain name <zoomecasino-au.com> may be currently accessed through a Google search for it, which opens a website with the tab title “Zoome Casino Official Site with Pokies and Online Bonuses in Australia” that has an almost identical design and content as the website at the domain name <zoom-casinos.com>, reproduced above:



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 names.

The Complainant states that the disputed domain names are confusingly similar to its ZOOMER trademark. The Complainant notes that the disputed domain name <zoom-casinos.com> reproduces the Complainant's registered trademark ZOOMER in its entirety, with the addition of the descriptive term "casinos". The Complainant points out that, given that it operates in the field of online casino services, and that the ZOOMER trademark is registered in International Class 41 for casino, gaming, and gambling services, the addition of "casinos" directly overlaps with the protected scope of the Complainant's trademark rights, further reinforcing the association with the Complainant's trademark. The Complainant adds that archival evidence demonstrates that the disputed domain name <zoom-casinos.com> has been used to operate a website that imitated the Complainant's official website at the domain name <zoomer.casino>, including an unauthorized reproduction of the Complainant's ZOOMER trademark. According to the Complainant, Internet users are likely to perceive the disputed domain name <zoom-casinos.com> as another official website of the Complainant, leading to consumer confusion.

The Complainant notes that the disputed domain name <zoomecasino-au.com> also incorporates the Complainant's registered trademark ZOOMER in its entirety, combined with the descriptive word "casino" and the geographic suffix "au" for Australia. The Complainant points out that the addition of "au" suggests a regional presence in Australia and reinforces the false impression that the disputed domain name <zoomecasino-au.com> represents an official Australian branch of the Complainant's services.

According to the Complainant, the Respondents have no rights or legitimate interests in respect of the disputed domain names, because the Complainant has never authorized them to use the ZOOMER trademark or to register any domain names incorporating it. The Complainant notes that the Respondents are not commonly known by the disputed domain names and have no trademark rights in the term "ZOOMER". The Complainant maintains that the Respondents are not using the disputed domain names in connection with a bona fide offering of goods or services. It points out that the Respondents have used the disputed domain names to imitate the Complainant's official website and mislead consumers of online gambling services, where the Complainant is actively operating and holds registered trademark rights. The Complainant notes that the disputed domain name <zoomecasino-au.com> does not resolve to an active website when entered directly, but still becomes accessible through search engines, which indicates a deliberate attempt to conceal unauthorized use rather than to engage in any legitimate activity.

The Complainant contends that the disputed domain names were registered and are being used in bad faith. According to it, given the Complainant's prior rights in the ZOOME trademark and the domain name <zoome.casino>, as well as its operations in the online casino and gambling sector for several years, the Respondent must have been aware of the Complainant's brand at the time of registration of the disputed domain names. According to the Complainant, the incorporation of the ZOOME trademark, combined with the dictionary word "casino" and the geographic indicator "au", and the use of the disputed domain names for websites that imitate the Complainant's official website, demonstrates an intentional targeting of the Complainant and of its trademark, aimed at misleading users for commercial gain by creating a likelihood of confusion as to the source, affiliation, or endorsement of the Respondents' websites.

B. Respondent

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

The only correspondence received from the email address associated with the disputed domain names, included the following two statements made in response to the Notice of Registrant Information, sent by the Center to the Parties:

"Hi! I didn't receive the official abuse text document. Could you please send it? And explain which are paragraphs of the UDRP the domain violates?"

"Hi! Still waiting for the documents from you."

The Center responded to these messages and sent to the same email address all its further communications in the proceeding, but no Response was submitted to the Complaint.

6. Discussion and Findings

6.1. Procedural issue – Consolidation of Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. The Complainant alleges that the domain name registrants are under common control, and requests the consolidation of the Complaint against the multiple disputed domain name registrants pursuant to paragraph 10(e) of the Rules. In support of its consolidation request, the Complainant notes that although different registrant names appear in the Whois data, disclosed by the Registrars, the registrants of the disputed domain names have indicated the same registrant email address, the two disputed domain names and the websites associated to them reproduce the Complainant's ZOOME trademark in an identical manner and target identical services in the online gambling and casino sector.

The disputed domain name registrants did not comment on the Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing the Complainant's request, the Panel will consider whether (i) the disputed domain names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See [WIPO Overview 3.0](#), section 4.11.2.

As regards common control, the Panel notes that the registrants of the disputed domain name have indeed indicated the same email address and have associated the two disputed domain names to practically identical websites that copy the Complainant's official website and prominently display the Complainant's ZOOME trademark. This suggests that the disputed domain names are under common control.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different disputed domain name registrants (referred to below as “the Respondent”) in a single proceeding.

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

The disputed domain names were registered in 2024, while the ZOOME trademark was registered in 2025. However, as discussed in section 1.1.3 of the [WIPO Overview 3.0](#), the fact that a domain name may have been registered before a complainant has acquired trademark rights does not by itself preclude a complainant’s standing to file a UDRP case, nor a panel’s finding of identity or confusing similarity under the first element.

The Panel finds the ZOOME trademark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the ZOOME trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Although the addition of other terms (here, “casino[s]”, and “au”) may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain names and the ZOOME trademark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

The Panel therefore finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

Panels have held that the use of a domain name for illegitimate activity (here, claimed impersonation/passing off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The disputed domain names are confusingly similar to the Complainant's ZOOME brand and its domain name <zooome.casino>. They incorporate the dictionary word "casino[s]", which describes the Complainant's services, and have been used for websites that almost identically copy the Complainant's official website (which had been activated before the registration of the disputed domain names), prominently display the Complainant's ZOOME brand and logo, and offer competing gambling services, while claiming copyright in these websites.

The above supports a conclusion that, by registering and using the disputed domain names, the Respondent has targeted the Complainant and its trademark and has attempted to confuse and attract Internet users to offer them competing services by impersonating the Complainant. Such conduct does not give rise to rights or legitimate interests in the disputed domain names, and this conclusion supports the Complainant's prima facie case.

Therefore, 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 illegitimate activity (here, claimed impersonation/passing off) constitutes bad faith. [WIPO Overview 3.0](#), section 3.4. Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

The evidence in the case supports a conclusion that the Respondent has attempted to unfairly capitalize on the Complainant's goodwill by registering the disputed domain names that are confusingly similar to the Complainant's ZOOME trademark and its domain name and refer to the Complainant's gambling business, and by using them for websites that are copycat versions of the Complainant's official website and that offer competing services. It is evident that when registering the disputed domain names, the Respondent was very well aware of the Complainant and its business carried out under the ZOOME brand, although the same was not yet registered as a trademark when the disputed domain names were registered. As discussed in section 3.8.2 of the [WIPO Overview 3.0](#), where the facts of the case establish that the respondent's intent in registering the domain name was to unfairly capitalize on the complainant's nascent (typically as yet unregistered) trademark rights, panels have been prepared to find that the respondent has acted in bad faith.

Therefore, the Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <zooome-casinos.com> and <zooomecasino-au.com> be transferred to the Complainant.

/Assen Alexiev/

Assen Alexiev

Sole Panelist

Date: December 12, 2025