

ADMINISTRATIVE PANEL DECISION

Gaijin Games Kft. v. Lica Ardeleanu

Case No. D2025-4648

1. The Parties

The Complainant is Gaijin Games Kft., Hungary, internally represented.

The Respondent is Lica Ardeleanu, Romania.

2. The Domain Name and Registrar

The disputed domain name <wtstore.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 November 10, 2025. On November 10, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 11, 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 November 12, 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 November 13, 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 November 18, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 8, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on December 16, 2025.

The Center appointed Kaya Köklü as the sole panelist in this matter on December 18, 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 develops and offers an internationally popular and award winning military online game named "War Thunder" which is dedicated to aviation, armored vehicles, and naval vessels.

The Complainant is the registered owner of various WAR THUNDER and WT trademark registrations. Particularly relevant for the present case is the European Union Trademark Registration No. 018884379, registered on October 28, 2023, for WT, covering protection for game software related goods and services as protected in Classes 9 and 41.

The Respondent is reportedly located in Romania.

The disputed domain name was registered on June 9, 2025.

The disputed domain name resolves to a website in Russian language version purportedly offering in-game items for the WAR THUNDER game of the Complainant, which are also originally offered by the Complainant in its own online store. Parts of the website associated with the disputed domain name are virtually copied from the official website of the Complainant and explicitly refer to the Complainant's WAR THUNDER video game.

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.

B. Respondent

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

6. Discussion and Findings

According to paragraph 15(a) of the Rules, the Panel shall decide the Complaint in accordance with the Policy, the Rules and any rules and principles of law that it deems applicable.

In accordance with paragraph 4(a) of the Policy, the Complainant must prove that each of the three following elements is satisfied:

- (i) the disputed domain name is identical or confusingly similar to a trademark in which the Complainant has rights;
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

Paragraph 4(a) of the Policy states that a complainant bears the burden of proving that all these requirements are fulfilled, even if a respondent has not substantively replied to the complainant's contentions. *Stanworth Development Limited v. E Net Marketing Ltd.*, WIPO Case No. [D2007-1228](#).

However, concerning the uncontested information provided by a complainant, the Panel may, where relevant, accept the provided reasonable factual allegations in a complaint as true. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("WIPO Overview 3.0"), section 4.3.

For the evaluation of this case, the Panel has taken note of the [WIPO Overview 3.0](#) and, where appropriate, will decide consistently with the consensus views stated therein.

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

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

Although the addition of other terms, here "store", may bear on assessment of the second and third elements, the Panel finds the addition of such term does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.8.

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

B. Rights or Legitimate Interests

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

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

Having reviewed the available record, the Panel finds the Complainant has established a *prima facie* case that the Respondent lacks rights or legitimate interests in the disputed domain name. In the absence of a response, 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.

Even more, both the nature of the disputed domain name and its use by the Respondent falsely suggest that the disputed domain name is owned or operated by, or otherwise commercially affiliated with, the Complainant. The deliberate use of a domain name to misrepresent an actually non-existing connection with

the trademark owner can never confer rights or legitimate interests on the 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 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 believes that the Respondent was aware of the Complainant and its WT trademark when registering the disputed domain name. It is obvious to the Panel, that the Respondent's choice of the disputed domain name, which comprises the Complainant's WT trademark in its entirety in combination with the term "store", demonstrates its knowledge of the Complainant and intention to target the Complainant and its WAR THUNDER video game. This constitutes bad faith registration under the Policy.

With respect to the use of the disputed domain name, the Panel notes that the disputed domain name resolves to an online store creating the overall look and feel as if the website is operated by the Complainant or at least with its authorization for illegitimate commercial gain.

Panels have held that the use of a domain name for illegitimate and/or illegal activity, here, claimed impersonation respectively passing off, and other possible types of fraud (including the offering of presumably ineffective codes for in-game items of the Complainant's video game), constitutes bad faith. [WIPO Overview 3.0](#), section 3.4.

Having reviewed the record, the Panel concludes that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

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

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <wtstore.org> be transferred to the Complainant.

/Kaya Köklü/
Kaya Köklü
Sole Panelist
Date: January 1, 2026