ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Sociedad Estatal Loterías y Apuestas del Estado S.M.E., S.A. v.
Bryan Joseph Rene Richard Pastor
Case No. D2025-4963

1. The Parties

The Complainant is Sociedad Estatal Loterías y Apuestas del Estado S.M.E., S.A., Spain, represented by María Emilia López Camba, Spain.

The Respondent is Bryan Joseph Rene Richard Pastor, France.

2. The Domain Name and Registrar

The disputed domain name <bono-loto.net> is registered with NameSilo, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on November 28, 2025. On November 28, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On November 28, 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 (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on December 1, 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 and an amended Complaint on December 2, 2025.

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

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on December 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was December 29, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on January 5, 2026.

The Center appointed Willem J. H. Leppink as the sole panelist in this matter on January 9, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The following facts are undisputed.

The Complainant is a state-owned commercial company entrusted with the exclusive management, operation, and marketing of games owned by the Spanish State, created by a Royal Decree, dating back to 1763.

The Complainant has been running the traditional Spanish Christmas Lottery since 1812, known as "SORTEO DE NAVIDAD", which is broadcast live every year on RTVE (the main Spanish public television channel) and on various state radio stations, and which results are published by practically all state, regional, and even local publications, due to its social significance.

Among the games and lotteries run by the Complainant, is a game called "BonoLoto". The game BonoLoto was launched in 1988. It takes place daily.

The Complainant is the owner of multiple trademark registrations which consist of or incorporate the term "BONOLOTO" or the combination of the words "BONO" and " LOTO". The Complainant is amongst others owner of following relevant trademark registrations:

- Spanish trademark registration No. 1215340 BONO – LOTO, in class 41, filed on October 22, 1987, and registered on February 3, 1992, for services in class 41 (including in relation to contests);
- Spanish trademark registration No. 1215338 BONO – LOTO, in class 28, filed on October 22, 1987, and registered on April 20, 1990, for goods in class 28 (games, especially lottery games);
- European Union trade mark registration No. 16394918, for the combined word/ device mark BONOLOTO, including the four-leaf clover logo used by the Complainant, for goods and services in classes 9, 16, 28, 35, 36, 38, and 41, filed on February 21, 2017, and registered on June 14, 2021.

In addition, the Complainant is the owner of several domain names containing BONO – LOTO, including: <bono-loto.eu> and <bono-loto.es>.

The disputed domain name was registered on October 8, 2025, and resolves to a webpage that features not only the name BonoLoto and the Complainant's four-leaf clover logo, but purports to be an online gambling platform regulated by the Curaçao eGaming authority. The website does not include any relevant information on which party operates this website.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends the following.

The Complainant is known by the general public in Spain, not just those involved in the gaming sector. The BonoLoto game is one of the most popular lottery games in Spain.

The Complainant's trademark registrations predate the disputed domain name by many years. The Complainant has a widespread and continuous use of its trademarks for almost forty years and would be immediately recognizable among (Spanish) consumers in connection with games of chance and related services. The disputed domain name is identical to the trademarks, as the disputed domain name incorporates these trademarks in its entirety.

The Respondent was not known prior to the registration of the disputed domain name, and neither it is currently known, under the name 'Bonoloto'. The Respondent does not have any prior trademark rights protecting BONOLOTO or BONO-LOTO. The Respondent even reproduces, in the contents of the website, the figurative elements of the Complainant's trademarks, with the characteristic four leaf clover logo and the word "BONOLOTO".

The Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not known by the disputed domain name and is not affiliated to the Complainant. In addition, the Respondent has not been authorized to register the disputed domain name and it uses it for a website that features the Trademarks (even depicting identical figurative elements) with links to a competitor of the Complainant.

Consequently, it is highly likely that the Respondent, being aware of the goodwill of the Complainant's trademarks, has registered and used the disputed domain name in an attempt to exploit the trademark's goodwill to attract Internet users to the Respondent's website and attempt to divert them to a competitor of the Complainant or to itself, likely for a commercial profit.

The Complainant and its trademarks BONOLOTO and BONO – LOTO are renowned brands, at least in Spain, with a strong media presence, advertising campaigns in the most relevant national media outlets, and a physical presence in numerous points of sale throughout Spain. These are brands known to the general public in Spain. Therefore, given that the Respondent seems to be familiar with the game sector and reproduces an identical trademark, with identical figurative elements of that of the Complainant, it can be concluded that the Respondent knew about the Complainant and its trademarks when registering the disputed domain name.

The use of the disputed domain name for a page that includes links within the same gaming sector, which compete with the Complainant and capitalize on its reputation, confirms the Respondent's bad faith.

B. Respondent

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

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Overview 3.0"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.0, section 1.2.1.

The entirety of the BONO – LOTO mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview 3.0, section 1.7.

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

B. Rights or Legitimate Interests

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

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

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

To the contrary, the Respondent is using the disputed domain name for what purports to be an online gambling platform, lacking relevant information on the party that is operating the platform, but clearly depicting the four-leaf clover logo of the Complainant.

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.

The Panel refers to what has been put forward under 6 B. of this decision and additionally considers the following. In the present case, the Panel notes that the Respondent has been using the disputed domain name to intentionally 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 the website or of a product or service on the website at the disputed domain name.

By registering the disputed domain name, the Respondent has no other purpose than to obtain economic revenue by rendering similar services as the ones provided by the Complainant, in order to take advantage of its reputation and recognition among the public.

The Panel concludes that this leads to bad faith on the part of the Respondent in the registration and use of the disputed domain name. The Complainant and its trademarks also have an extensive online presence, such that any search for the term "bonoloto" reveals the Complainant and its trademarks, as well as its corporate website "www.loteriasyapuestas.es", where the Complainant offers its products and services.

The use the four-leaf clover logo of the Complainant on what purports to be an online gambling platform, confirms that the Respondent had the Complainant and its trademarks in mind when registering and using the disputed domain name.

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 <bono-loto.net> be transferred to the Complainant.

/Willem J. H. Leppink/
Willem J. H. Leppink
Sole Panelist
Date: January 16, 2026