ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Novomatic AG v. Ivan Vydrak
Case No. D2026-0241

1. The Parties

The Complainant is Novomatic AG, Austria, represented by Salomonowitz Attorneys-at-Law, Austria.

The Respondent is Ivan Vydrak, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <admiralgameonline.com> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on January 21, 2026. On January 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 22, 2026, 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 (Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 26, 2026, 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 January 26, 2026.

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 January 28, 2026. In accordance with the Rules, paragraph 5, the due date for Response was February 17, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on February 18, 2026.

The Center appointed Petra Pecar as the sole panelist in this matter on February 25, 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.

Preliminary Issue: Procedural Consideration - The Respondent's location

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition.

The location of the Respondent as disclosed by the Registrar appears to be in Ukraine, which is subject to an international conflict on the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue.

The Panel notes that the record shows that the Written Notice has been sent to the address disclosed by the Registrar in its verification. It appears that the Notification of Complaint's emails were delivered to the Respondent's email address, as provided by the Registrar. Therefore, there is no evidence that the case notification was not successfully received by the Respondent. In addition, the Panel also notes that the disputed domain name was recently registered on January 9, 2026.

The Panel concludes that the Respondent who is allegedly located in Ukraine has been given a fair opportunity to present its case, and so that the administrative proceeding takes place with due expedition, the Panel will proceed to a Decision accordingly.

4. Factual Background

The Complainant is Novomatic AG, an Austrian gaming technology company founded in 1980 and headquartered in Gumpoldskirchen, Austria. The Complainant develops and manufactures gaming equipment and also operates gaming venues and betting services worldwide.

The Complainant is the owner of registrations worldwide for ADMIRAL and variations thereof, including inter alia the following:

- European Union Registration No. 004134433 for word mark ADMIRAL, registered on August 14, 2006 in International Classes 9, 16, 28, 36, 37, 41, 42 and 43**;**
- European Union Registration No. 015570005 for device mark ADMIRAL registered on October 27, 2016 in International Class 41; and
- International Registration No. 598347 for word mark ADMIRAL, registered on December 17, 1992 in International Classes 9, 28, 36, 37, 41 and 42, designating among other countries also Ukraine.

The Complainant operates the official website at <novomatic.com>, through which it provides information about its gaming products, technologies, and international operations.

The disputed domain name was registered on January 9, 2026 and, at the time of filing of the Complaint, resolved to a website offering an "Admiral Casino" mobile application for download, displaying slot games and imitating the appearance of a Google Play Store application page.

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 the ADMIRAL mark, as it reproduces the ADMIRAL mark in its entirety, and submits that the addition of descriptive terms such as "game" or "online" does not prevent a likelihood of confusion.

The Complainant further contends that the Respondent lacks rights or legitimate interests in the disputed domain name, submitting that its rights in the ADMIRAL mark predate the registration of the disputed domain name. The Respondent has not been authorized to use the ADMIRAL mark, and is not commonly known by ADMIRAL name. The Complainant also asserts that the disputed domain name is used to offer infringing slot games and illegal gambling services while allegedly impersonating the official Google Play Store.

The Complainant contends that the disputed domain name was registered and is being used in bad faith, as it was registered long after the Complainant had established its ADMIRAL marks and websites, indicating that the Respondent was aware of the Complainant and its ADMIRAL mark. The Complainant further submits that the disputed domain name is used to offer illegal gambling services and infringing copies of the Complainant's slot games, thereby misleading Internet users and attracting them for commercial gain by creating a likelihood of confusion with the ADMIRAL mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website.

B. Respondent

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

6. Discussion and Findings

Even if the Respondent did not file a Response to the Complainant's contentions, the Panel shall consider the issues present in the case based on the statements and documents submitted by the Complainant. "A Panel shall decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable", as indicated in paragraph 15(a) of the Rules.

Under paragraph 4(a) of the Policy, the Complainant is required to prove each of the following three elements:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark 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 by the Respondent in bad faith.

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 Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The Complainant has shown rights in respect of ADMIRAL mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The entirety of the ADMIRAL 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 3.1, section 1.7.

Although the addition of the terms "game" and "online", which are descriptive of the Complainant's online casino and gambling services, may bear on the assessment of the second and third elements, the Panel finds that the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy (WIPO Overview 3.1, section 1.8).

Furthermore, it is well accepted practice by UDRP panels that a general Top Level Domain "gTLD", such as ".com", is typically ignored when assessing whether a domain name is identical or confusingly similar to a trademark (see section 1.11 of the WIPO Overview 3.1). For that reason, the Panel accepts not to take into consideration the gTLD ".com" when assessing confusing similarity of the disputed domain name.

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 that 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 3.1, 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.

According to the Complainant, the Respondent is not affiliated with or connected to the Complainant in any manner, nor has the Complainant granted the Respondent any license or authorization to use or register domain names incorporating the Complainant's ADMIRAL mark. The Respondent holds no prior rights in the ADMIRAL mark and has failed to respond to the Complaint, thereby providing no information or evidence that could establish any rights or legitimate interests in the disputed domain name. Furthermore, there is no evidence that the Respondent has made any legitimate or bona fide use of the disputed domain name, whether for commercial or noncommercial purposes, as, at the time the Complaint was filed, the disputed domain name resolved to a website displaying the ADMIRAL mark and presenting the "Admiral Casino" mobile application.

The Complainant has thus established a prima facie case that the Respondent lacks rights or legitimate interests, which has not been rebutted. The Respondent is neither a licensee nor otherwise authorized to use the ADMIRAL mark, and there is no indication that it is commonly known by the "Admiral" name. The website to which the disputed domain name resolves reproduces the Complainant's ADMIRAL mark and thereby creating a false impression of affiliation. Such use cannot be regarded as bona fide or as legitimate noncommercial or fair use. The Respondent's failure to respond to the Complainant's attempts at clarification further supports the absence of any rights or legitimate interests in the disputed domain name.

Panels have consistently held that the use of a domain name for illegitimate activity, including passing off or the operation of copycat websites falsely suggesting an affiliation with a complainant, can never confer rights or legitimate interests on a respondent. This applies also where the website associated with the disputed domain name promotes or redirects users to an application presented under the Complainant's mark. See WIPO Overview 3.1, 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 notes that the Respondent registered the disputed domain name approximately 34 years after the registration of the ADMIRAL mark and is associated with gaming-related services.

The disputed domain name incorporates the ADMIRAL mark in its entirety together with the additional terms "game" and "online". These terms are descriptive of gaming-related activities. In the Panel's view, the inclusion of these terms reinforces the association with gaming activities and supports the inference that the Respondent had the Complainant in mind when registering the disputed domain name. In the absence of any explanation for the choice of the ADMIRAL mark in the disputed domain name, the Panel considers that the registration of the disputed domain name was unlikely to have been coincidental.

The Panel further notes that the disputed domain name resolves to a website displaying references to "Admiral Casino" and offering access to gaming-related services and applications. The overall presentation of the website includes the use of the ADMIRAL name and elements resembling the ADMIRAL mark. In the Panel's view, such use is likely to create confusion among Internet users as to the source, sponsorship, affiliation, or endorsement of the website.

By incorporating the ADMIRAL mark into the disputed domain name and using it in connection with gaming-related services, the Respondent appears to be attempting to attract Internet users to its website by creating an association with the ADMIRAL mark.

The Panel also notes that the Respondent did not respond to the Complaint and did not provide any explanation for the registration and use of the disputed domain name. In the absence of any explanation from the Respondent, and having regard to all the circumstances of the case, the Panel finds that the disputed domain name was registered and is being used in bad faith.

Panels have held that the use of a domain name for illegitimate activity, including impersonation or passing off, constitutes evidence of bad faith. In the present case, the disputed domain name incorporates the ADMIRAL mark and resolves to a website displaying a version of the ADMIRAL mark and referring to casino and gaming services, which reinforces the impression of association with the Complainant. Such use is likely to mislead Internet users as to the source or affiliation of the website and therefore constitutes bad faith. See WIPO Overview 3.1, section 3.4.

Having reviewed the record, the Panel finds that the Respondent's registration and use of the disputed domain name constitutes 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 <admiralgameonline.com> be transferred to the Complainant.

/Petra Pecar/
Petra Pecar
Sole Panelist
Date: March 10, 2026