

ADMINISTRATIVE PANEL DECISION

Embark Studios AB v. Dawid Rduch

Case No. D2026-0307

1. The Parties

The Complainant is Embark Studios AB, Sweden, represented by Westerberg & Partners Advokatbyrå AB, Sweden.

The Respondent is Dawid Rduch, Poland.

2. The Domain Name and Registrar

The disputed domain name <thefinalsmobile.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 26, 2026. On January 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On January 26, 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 (“Unknown”) and contact information in the Complaint. The Center sent an email communication to the Complainant on January 27, 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 27, 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 Iris Quadrio as the sole panelist in this matter on February 23, 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 Complainant, Embark Studios AB (“the Complainant”), is a Swedish video game development company headquartered in Stockholm, Sweden. The company was founded in November 2018 by several video game industry veterans, including Patrick Söderlund, former Chief Design Officer at Electronic Arts and former CEO of DICE, together with Magnus Nordin, Rob Runesson, Stefan Strandberg, Jenny Huldshiner and Johan Andersson. The Complainant operates as a video game developer focused on multiplayer and online gaming experiences and is currently a subsidiary of the international video game publisher Nexon Co., Ltd.

Since its establishment, the Complainant has developed several video game titles. One of its most prominent games is The Finals, a free-to-play multiplayer first-person shooter game. The game was first publicly announced in August 2022 and officially released in December 2023 for several platforms including Microsoft Windows, PlayStation 5 and Xbox Series X/S. It is available for download through major digital distribution platforms such as Steam, the PlayStation Store, and Xbox Game Pass.

The Complainant is the owner of the trademark THE FINALS in many jurisdictions, including the European Union: (EUIPO) Reg. No. 018339799, registered since March 10, 2021, in classes 9, 25, 28 and 41; World Intellectual Property Office (including Australia): Reg. No. 1616813, registered since April 29, 2021, in classes 9, 25, 28 and 41; Sweden: Reg. No. 615628, registered since June 22, 2021, in classes 9, 25 and 28 and Switzerland: Reg. No. 802653, registered since August 31, 2023, in classes 9 and 41. The trademark THE FINALS was also registered in Canada: Reg. No. TMA1326511, since June 27, 2025, in classes 9, 28 and 41 and in Brazil: Reg. No. 501616813, since July 2, 2024, in classes 9, 25, 28 and 41.

The Complainant asserts that the trademark THE FINALS is used in connection with its video game and related commercial activities, including official merchandise and promotional materials associated with The Finals.

The Complainant also operates an official website for the game at “www.reachthefinals.com” and “www.embark-studios.com”, which provides information to users about the game and related services.

The disputed domain name was created on March 10, 2023, and was last updated on February 8, 2025, as it appears from the Registrar’s records submitted together with the Complaint

The website associated with the disputed domain name, according to the evidence provided by the Complainant, claims to offer a mobile version of the Complainant’s game The Finals. The Complainant states that no official mobile version of the game exists. The Complainant further indicates that it has received reports from players stating that they were prompted to provide personal information to download the purported game from the website associated with the disputed domain name.

According to the Registrar’s verification disclosed during this proceeding, the Respondent is identified as Dawid Rduch, located in Poland.

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 trademark THE FINALS, for which the Complainant has prior rights.

The Complainant contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name and he is not related in any way to the Complainant. The Complainant is not related to the Respondent in any way and has not authorized or licensed the Respondent to use the trademark THE FINALS.

Moreover, the Complainant contends that the disputed domain name was registered and is being used in bad faith. In particular, the Complainant asserts that the website associated with the disputed domain name falsely claims to offer a mobile version of the Complainant's game The Finals, even though no official mobile version of the game exists. The Complainant further maintains that users visiting the website are prompted to provide personal information to download the purported game which, according to the Complainant, would imply that the website is being used as part of a fraudulent scheme

Finally, the Complainant requests that the Panel order the transfer of the disputed domain name to the Complainant.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, for this Complaint to succeed in relation to the disputed domain name, the Complainant must prove each of the following, namely that:

- i. the disputed domain name is identical or confusingly similar with a trademark or service mark in which the Complainant has rights; and
- ii. the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- iii. the disputed domain name was registered and is being used 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 a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

Moreover, the record indicates that the Complainant owns several trademark registrations for THE FINALS in multiple jurisdictions, including the European Union, Brazil and Canada.

The entirety of the 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 3.1](#), section 1.7.

The Panel finds that the Complainant's trademark is clearly recognizable within the disputed domain name. Disregarding the generic Top-Level Domain ("gTLD") ".com", which is viewed as a standard registration requirement and as such is typically ignored in the confusing similarity test, the disputed domain name differs from the Complainant's mark only by the addition of the term "mobile". [WIPO Overview 3.1](#), section 1.11.1.

Although the addition of the term "mobile" may bear on the assessment of the second and third elements, the Panel finds that the addition of such descriptive 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 3.1](#), 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 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.

The Complainant asserts that it has not authorized, licensed, or otherwise permitted the Respondent to use the trademark THE FINALS or to register any domain name incorporating the mark. There is no evidence in the record suggesting that the Respondent has been commonly known by the disputed domain name or that the Respondent holds any trademark or other rights corresponding to the disputed domain name.

Furthermore, the evidence submitted by the Complainant indicates that the disputed domain name resolves to a website that purports to offer a mobile version of the Complainant's game The Finals, despite no official mobile version of the game exists, as stated by the Complainant.

Panels have held that the use of a domain name for illegitimate activity or illegal activity, including here impersonation, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

In light of the above circumstances, the Panel finds that the Respondent has not demonstrated any rights or legitimate interests in the disputed domain name.

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 finds that the circumstances of paragraph 4(b)(iv) of the Policy are applicable. Under this provision, bad faith may be found where a respondent, by using a domain name, intentionally attempts to attract, for commercial gain, Internet users to a website or other online location 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.

The record shows that the Complainant owns trademark registrations for THE FINALS, including several registrations obtained prior to the creation of the disputed domain name. The disputed domain name was created on March 10, 2023, whereas the Complainant's trademark registrations date back to as early as 2021, including a European Union trademark registration for THE FINALS registered on March 10, 2021. Therefore, and considering that the disputed domain name incorporates the Complainant's trademark in its entirety together with the descriptive term "mobile", the Panel considers it more likely than not that the Respondent was aware of the Complainant and of its trademark when registering the disputed domain name.

The evidence shows that the disputed domain name resolves to a website that purports to offer a mobile version of the Complainant's game The Finals, while incorporating the Complainant's trademark and imagery associated with the game.

The Panel finds that by registering the disputed domain name and adopting the behavior described above - that falls squarely within the circumstances indicated in paragraph 4(b)(iv) of the Policy - the Respondent intended to take unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website.

Having reviewed the record, the Panel finds 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 <thefinalsmobile.com> be transferred to the Complainant.

/Iris Quadrio/

Iris Quadrio

Sole Panelist

Date: March 9, 2026