

ADMINISTRATIVE PANEL DECISION

Tamaris (Gibraltar) Limited v. Yosip Kravchuk
Case No. D2026-0458

1. The Parties

The Complainant is Tamaris (Gibraltar) Limited, United Kingdom, represented by Wiley Rein LLP, United States of America.

The Respondent is Yosip Kravchuk, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <pragmatic.casino> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 3, 2026. On February 4, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 6, 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 February 6, 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 amended Complaint on February 11, 2026.

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 Respondent of the Complaint, and the proceedings commenced on February 12, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 6, 2026.

The Center appointed Vincent Denoyelle as the sole panelist in this matter on March 12, 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 is a provider of mobile and desktop casino games for the online gaming industry.

The Complainant is the owner of several trade marks including the term “pragmatic” such as:

- European Union trade mark PRAGMATICPLAY number 017891041, filed on April 23, 2018 and registered on September 1, 2018;
- European Union trade mark PRAGMATIC CASINO number 019135594, filed on January 24, 2025 and registered on May 18, 2025;
- European Union trade mark PRAGMATIC GAMES number 019135552, filed on January 24, 2025 and registered on May 18, 2025; and
- European Union trade mark PRAGMATIC SLOTS number 019135583, filed on January 24, 2025 and registered on May 18, 2025.

(Together the “PRAGMATIC trade marks.”)

The disputed domain name was registered on November 5, 2024, and it used to resolve to a page falsely impersonating the Complainant and reproducing the Complainant’s logo, also protected as a trade mark. The website at the disputed domain name also used to link to a Telegram page impersonating the Complainant and was associated with the launch of a cryptocurrency token named “Gates of Olympus”.

On December 12, 2025, the Complainant filed a complaint under the Uniform Rapid Suspension System (“URS”) seeking suspension of the disputed domain name. On December 31, 2025, the URS examiner found in favour of the Complainant and ordered the suspension of the disputed domain name. Consequently, the disputed domain name now points to a webpage including the following message:

“The Domain Name you have entered is not available. It has been taken down as a result of dispute resolution proceedings pursuant to the Uniform Rapid Suspension System (URS).”

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 Complainant’s PRAGMATIC trade marks.

The Complainant asserts that the Respondent is not using the disputed domain name to undertake any bona fide offering of goods or services, because it is passing itself off as the Complainant including as a result of statements and imagery that are clearly intended to convey a false relationship with Complainant. The Complainant contends that the Respondent is not commonly known by the disputed domain name. The Complainant argues that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name given the clearly commercial nature of the associated website.

Turning to bad faith, the Complainant considers that the Respondent was clearly aware of the PRAGMATIC trade marks of the Complainant when it registered the disputed domain name and that the Respondent registered it in bad faith, to disrupt the Complainant's business, and/or attract Internet users through a likelihood of confusion with the Complainant's trade mark, for the Registrant's financial gain. The Complainant contends that the Respondent uses the disputed domain name to pass itself off as the Respondent.

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

The Complainant has shown rights in respect of a trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds that the PRAGMATIC trade marks of the Complainant are recognizable within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Complainant's trade marks for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

In addition, the Panel finds for purposes of paragraph 4(a)(i) of the Policy that the disputed domain name is confusingly similar if not identical to the Complainant's PRAGMATIC CASINO trade mark. In this case, the disputed domain name differs from the Complainant's PRAGMATIC CASINO trade mark only by the addition of a punctuation mark (".") between the terms "pragmatic" and "casino" in the trade mark. While ".casino" is the generic Top-Level Domain ("gTLD"), and as such, would be typically disregarded under the analysis of the first element, consideration of gTLDs may, in appropriate circumstances, be considered when evaluating identity or confusing similarity under the first element of the Policy, and the Panel finds such consideration to be appropriate in the circumstances of this case. See, e.g., *Tesco Stores Limited v. M.F.*, WIPO Case No. [DCO2013-0017](#) (<tes.co>); *Bayerische Motoren Werke AG v. Masakazu/Living By Blue Co., Ltd.*, WIPO Case No. [DMW2015-0001](#) (<b.mw>); *Totaljobs Group Limited v. Faisal Khan, CreativeMode Ltd*, WIPO Case No. [D2017-0295](#) (<total.jobs>); *WeWork Companies, Inc. v. Michael Chiriac, Various Concepts Inc.*, WIPO Case No. [D2016-1817](#) (<joinwe.work>); *Swarovski Aktiengesellschaft v. Aprensa UG haftungsbeschraenkt, Mike Koefler*, WIPO Case No. [D2016-2036](#) (<swarov.ski>); *Compagnie Générale des Etablissements Michelin v. Pacharapatr W.*, WIPO Case No. [D2016-2465](#) (<tyre.plus>); *Banco Bradesco S/A v. Paulo Araujo*, WIPO Case No. [DCO2010-0049](#) (<brades.co>); and *CLARO S.A. v. Austin Rhoades, auroraholding.net*, WIPO Case No. [D2024-1958](#) (<claro.chat>) and [WIPO Overview 3.1](#), section 1.11.3 ("Where the applicable TLD and the second-level portion of the domain name in combination contain the relevant trademark, panels may consider the domain name in its entirety for purposes of assessing confusing similarity (e.g., for a hypothetical TLD '.mark' and a mark 'TRADEMARK', the domain name <trade.mark> would be confusingly similar for UDRP standing purposes").

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.

Here, the previous content of the website associated with the disputed domain name was designed to mislead Internet users into thinking that it was affiliated with or endorsed by the Complainant, in an effort to generate financial gain illegitimately. Panels have held that the use of a domain name for illegitimate activity here, claimed passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

In addition, the Panel finds that in the present case, the TLD under which the disputed domain name is registered is relevant in assessing the Respondent’s rights or legitimate interests as it is descriptive of the exact services of the Complainant and shows targeting. [WIPO Overview 3.1](#), section 2.14.1.

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 disputed domain name is confusingly similar to the Complainant’s PRAGMATIC trade marks and the Panel finds that this cannot be a coincidence given (i) the fact that the earlier PRAGMATIC trade mark of the Complainant was registered six years before the disputed domain name, (ii) the online visibility of the Complainant and (iii) the choice of the TLD <.casino> which targets the types of services the Complainant is known for.

The Panel finds that the disputed domain name was registered in bad faith.

The disputed domain name was used to resolve to a page falsely impersonating the Complainant and reproducing the Complainant’s logo, also protected as a trade mark.

Panels have held that the use of a domain name for illegitimate activity here, passing off, constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

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 <pragmatic.casino> be transferred to the Complainant.

/Vincent Denoyelle/

Vincent Denoyelle

Sole Panelist

Date: March 26, 2026