ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
FanDuel Group, Inc. v. 李智林 (li zhi lin)
Case No. D2026-0639

1. The Parties

The Complainant is FanDuel Group, Inc., United States of America ("United States"), represented by Kelley Drye & Warren LLP, United States.

The Respondent is 李智林 (li zhi lin), China, self-represented.

2. The Domain Name and Registrar

The disputed domain name <fanduelpredicts.com> is registered with Alibaba Cloud Computing Ltd. d/b/a HiChina (www.net.cn) (the "Registrar").

3. Procedural History

The Complaint was filed in English with the WIPO Arbitration and Mediation Center (the "Center") on February 13, 2026. On February 16, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 20, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name that differed from the named Respondent (REGISTRATION PRIVATE) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 20, 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 in English on February 24, 2026.

On February 20, 2026, the Center informed the Parties in Chinese and English, that the language of the Registration Agreement for the disputed domain name is Chinese. On February 21 and 25, 2026, the Respondent requested and reiterated that Chinese be the language of the proceeding. On February 24 and 25, 2026, the Complainant requested and reiterated that English be the language of the proceeding.

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 in Chinese and English of the Complaint, and the proceedings commenced on February 25, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 17, 2026. The Respondent sent email communications to the Center on February 26, 2026, acknowledging the receipt of the Notification of the Complaint sent by the Center on February 25, 2026, denying the Complainant's assertion that it had agreed for English to be the language of the proceeding, and requesting a translation of the Complaint with annexes into Chinese. The Response was filed in Chinese on March 16, 2026.

The Complainant sent an unsolicited supplementary filing to the Center on March 18, 2026. On the same day, the Respondent sent an email communication to the Center objecting to acceptance of the Complainant's supplementary filing.

The Center appointed Matthew Kennedy as the sole panelist in this matter on March 24, 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.

On March 30, 2025, the Respondent sent a further email communication to the Center regarding the Complainant's supplementary filing.

On the same day, the Panel issued Panel Procedural Order No. 1 (the "Panel Order") in Chinese and English, in which it notified the Parties that it was prepared to accept the Complainant's supplemental filing and, pursuant to paragraphs 10 and 12 of the Rules, invited the Respondent to submit its comments on the Complainant's supplemental filing by April 4, 2026. The Panel received comments from the Respondent in Chinese in response to the Panel Order by the due date.

4. Factual Background

The Complainant is an online sports and gaming operator, offering statistical analysis and forecasting using predictive analytic software, sportsbooks, gaming software and services, fantasy sports products and services, online casino services, online horse race betting products, content streaming, and other related goods and services. It has over 12 million registered users in the United States and Canada and nearly 30 retail locations in the United States. Its FanDuel TV and FanDuel Racing programming are distributed via cable television, and it makes available a FanDuel TV+ streaming app. The Complainant holds multiple trademark registrations including United States trademark registration number 4146662 for FANDUEL, registered on May 22, 2012, with a claim of first use in commerce on July 1, 2009, specifying services in class 41. That trademark registration is current. The Complainant has also registered the domain name <fanduel.com> that it uses in connection with a website where it promotes and sells its fantasy sports and sports betting services. The Complainant now makes available for download from its website a "FanDuel Predicts" mobile application, which is a digital predictions market platform that allows users to trade contracts based on the outcome of future events, from sports to major economic indicators. On August 22, 2025, the Complainant filed United States trademark applications serial numbers 99/352538, 99/352553, 99/352562, and 99/352572, each for FANDUEL PREDICTS, each with a disclaimer of the word "predicts". Those trademark applications have been published for opposition and are currently pending.

The Respondent is an individual based in China. According to evidence presented by the Complainant, the Respondent holds other domain names, including <amazonsaver.cn>, <appleaccount.cn>, <awsappstudio.cn>, <bmwalpina.com.cn>, <hyundaipay.com.cn>, <teslafinance.com.cn>, <claudeai.cn>, <facebookai.cn>, and <teslaai.cn>.

The disputed domain name was originally registered on August 24, 2025. It does not resolve to any active website; rather, it is passively held. According to evidence presented by the Respondent, he purchased the disputed domain name from a third party on November 13, 2025 for CNY 14,204.69, an amount converted from USD 1,986.36. According to evidence presented by the Complainant, the disputed domain name was

advertised for sale on a domain name broker's website for USD 2,699 as recently as February 5, 2026. On December 16, 2025, the Complainant sent a letter of demand to the Registrar, who acknowledged receipt on the same day.

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 FANDUEL mark and identical to its FANDUEL PREDICTS mark.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not a licensee of the Complainant or otherwise authorized to use the Complainant's marks. The disputed domain name does not resolve to a functioning website.

The disputed domain name has been registered and is being used in bad faith. Given the popularity and extensive and long-standing use and promotion of the Complainant's FANDUEL mark since at least 2009, the Respondent was undoubtedly aware of the Complainant's rights in that mark at the time when the disputed domain name was registered. The Respondent's illegitimate intentions are particularly clear because he registered the disputed domain name immediately after the Complainant filed applications to register the identical FANDUEL PREDICTS mark. Other domain names held by the Respondent contain third party marks, which supports a finding that the disputed domain name was registered in bad faith.

B. Respondent

The Respondent contends that the Complainant has not satisfied any of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Respondent contends that the Complainant lacks brand awareness in China and the Complainant's website is inaccessible in China. The Complainant has no registered trademark rights in China but FANDUEL and 泛渡 FANDUEL marks have been registered in China by unrelated third parties for over 10 years. The disputed domain name is derived from the Chinese transliterations "泛渡 fanduel" and "饭都" referring to catering/food.

The Respondent has rights and legitimate interests in respect of the disputed domain name. His acquisition of the disputed domain name was legal and the price paid shows that he intends to develop it commercially. The Respondent made attempts to acquire other "predicts"-related domain names from November 14 to November 19, 2025, for amounts ranging between USD 100,000 and USD 2 million, which demonstrates that he has substantial commercial development intentions for the disputed domain name.

The disputed domain name was not registered and is not being used in bad faith. It has been passively held since it was purchased and has not been used to construct any website. The offer for sale on the domain name broker's website is out-of-date information authorized by the prior holder of the disputed domain name, not the Respondent; the advertised price is close to the price that the Respondent paid. The Respondent has never made any offer to sell the disputed domain name to the Complainant or its competitor. The Parties are located in different regions and industries. The Respondent did not know of the existence of the Complainant's brand or its business prior to this dispute. On the other hand, the Complainant knew that "fanduelpredicts" was available for registration in many different Top-Level Domains ("TLDs") but failed to take action, which misled users into believing that the term was not subject to exclusive rights.

The Respondent requests that the Panel make a finding of Reverse Domain Name Hijacking. His principal reasons are that the Complainant was aware that "fanudelpredicts" was available for registration in many TLDs but negligently failed to take action to protect its rights; the Complainant did not comply with its notification obligation; the Respondent holds the disputed domain name legitimately; the Complainant has no trademark rights in China; the Complaint is filled with false accusations and subjective speculation; and the Complainant's email communication of February [25], 2026 regarding the language of the proceeding is misleading. The Respondent also asks the Panel to record the damages that he has suffered and to reserve its right to claim damages in court. The Respondent also submits that the Complainant's submission regarding other domain names is an attempt to create prejudice in the mind of the Panel instead of a fair assessment of the case. The Respondent also explains the logic he applied in acquiring a large number of domain names, and asserts that only a small percentage of the domain names owned by the Respondent may be similar to specific terms.

6. Discussion and Findings

6.1 Preliminary Issues

A. Language of the Proceeding

The language of the Registration Agreement for the disputed domain name is Chinese. Pursuant to the Rules, paragraph 11(a), in the absence of an agreement between the parties, or unless specified otherwise in the registration agreement, the language of the administrative proceeding shall be the language of the registration agreement.

The Complaint and amended Complaint were filed in English. The Complainant requested that the language of the proceeding be English; its principal reasons being that the Respondent is familiar with the English language, as the disputed domain name consists entirely of the English words "fanduel" and "predicts"; and that the Complainant would be disproportionately burdened by the cost and inconvenience of having to obtain translations, which would also result in undue delay. It also refers to other domain names registered by the Respondent that contain English words and the Respondent's corresponding in English with respect to purchase of a domain name as evidenced in the Response. The Complainant added that the Response shows that the Respondent has clearly reviewed the amended Complaint, which was submitted exclusively in English.

The Response was submitted in Chinese. The Respondent requested that the language of the proceeding be Chinese; its principal reasons being that the Registration Agreement for the disputed domain name is in Chinese; the content of a domain name does not demonstrate language proficiency; the Respondent does not possess language proficiency in English sufficient to present legal argument; and the Complainant should bear the responsibility for its choice to commence this procedure. The Complainant has distorted the Respondent's attempt to understand the Complaint into a consent to the use of English as the language of the proceeding, which is highly misleading; the Respondent's use of translation tools does not equate to the proficiency required for legal advocacy in English.

The Panel notes that several annexes to the Response are in English, including one that contains a series of email enquiries sent by the Respondent, which demonstrates that he understands English. The detailed content of the Response shows that he has in fact understood the Complaint and that he has been given a fair opportunity to present his views on it.

In exercising its discretion to use a language other than that of the Registration Agreement, the Panel has to exercise such discretion judicially in the spirit of fairness and justice to both parties, taking into account all relevant circumstances of the case, including matters such as the parties' ability to understand and use the proposed language, time, and costs. See WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.5.1.

Having considered all the matters above, the Panel determines under paragraph 11(a) of the Rules that the language of the proceeding shall be English, but that the Panel will accept the Response filed in Chinese, without translation.

B. Complainant's Supplementary Filing

On March 18, 2026, prior to the appointment of the Panel, the Complainant sent an email communication to the Panel in which it (i) reacted to correspondence annexed to the Response in order to comment on the language of the proceeding; and (ii) provided information that had come into its possession on the same day regarding other domain names held by the Respondent.

On the same day, the Respondent objected to the Complainant's supplemental filing for several reasons, including that his willing participation in this proceeding should not be used against him and that, in accordance with paragraphs 10(b), 12, and 15(a) of the Rules, statements made after the Response should not be accepted as they will interfere with the Panel's assessment of core facts. On March 30, 2026, the Respondent submitted that this Decision should not be based on information on which he had not had the opportunity to comment.

On March 30, 2026, the Panel issued a Panel Order, inviting the Respondent to comment on the Complainant's supplemental filing. The Respondent commented that the Complainant appeared unable to discharge its burden of proof as it had resorted to introducing extraneous information in its supplemental filing after the due date, in which it sought to substitute character evidence for case-specific evidence.

The Panel notes that at the time when the Complainant filed the Complaint, the Respondent's correspondence with a third party was not available. Far from interfering with the assessment of core facts, the Complainant's supplemental filing contains information relevant to issues in this dispute, namely, language of the proceeding and bad faith. The Respondent has been given an opportunity to comment on that information. Acceptance of the Complainant's supplemental filing will not significantly delay this proceeding.

Therefore, the Panel decides to admit the Complainant's supplemental filing and will assess it, and the Respondent's comments on it, according to their respective relevance, materiality, and weight.

6.2 Substantive Issues

Paragraph 4(a) of the Policy provides that a complainant must demonstrate each of the following elements:

(i) the disputed domain name is identical or confusingly similar to 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 has been registered and is being used in bad faith.

The burden of proof of each element is borne by the Complainant.

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. See WIPO Overview 3.1, section 1.7.

The Complainant has shown registered rights in respect of a FANDUEL trademark for the purposes of the Policy. The Respondent points out that the Complainant's trademark is not registered in China, where he is based. However, given the global nature of the Internet and Domain Name System, the jurisdictions where

the Complainant's trademark is valid is not relevant to the assessment under the first element of the Policy. See WIPO Overview 3.1, sections 1.1.2 and 1.2.1.

The Complainant has also filed applications to register a FANDUEL PREDICTS trademark but those applications are still pending at the time of this proceeding. Pending trademark applications by themselves do not demonstrate rights in a trademark for the purposes of the Policy. See WIPO Overview 3.1, section 1.1.4. Accordingly, the Panel will conduct its assessment of confusing similarity with the FANDUEL mark only.

The entirety of the FANDUEL mark is reproduced within the disputed domain name. Despite the addition of the word "predicts" after the mark, the FANDUEL mark is clearly recognizable within the disputed domain name. The only additional element in the disputed domain name is a generic TLD extension (".com") which, as a standard requirement of trademark registration, may be disregarded in the assessment of confusing similarity for the purposes of the Policy. Accordingly, the Panel finds that the disputed domain name is confusingly similar to the Complainant's FANDUEL mark. See WIPO Overview 3.1, sections 1.7, 1.8, and 1.11.1.

Therefore, 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. See WIPO Overview 3.1, section 2.1.

In the present case, the Complainant shows that the disputed domain name is passively held. The Complainant confirms that the Respondent is not its licensee nor otherwise authorized to use its marks. This does not amount to a use of the disputed domain name in connection with a bona fide offering of goods or services. Nor is it a legitimate noncommercial or fair use of the disputed domain name. Further, the Respondent's name is "李智林 (li zhi lin)", which does not resemble the disputed domain name. Nothing indicates that the Respondent has been commonly known by the disputed domain name.

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.

Turning to the Respondent, he shows that two third parties hold Chinese trademark registrations for 泛渡 FANDUEL (registered in 2016 in classes 9 and 41) and FANDUEL (registered in 2019 in classes 14 and 35), respectively. However, as the Respondent does not claim to be related to either of these trademark holders, those trademarks do not confer any rights upon him.

The Respondent submits that he intends to develop the disputed domain name commercially but he does not indicate what his intended commercial use might be. The price that he paid gives no indication of any particular use, let alone a good faith use. In any case, a general reference to the meaning of pairs of Chinese characters phonetically similar to the first two syllables of the disputed domain name ("饭都", meaning "food capital" or "泛渡", which is not a dictionary term in Chinese but may be literally translated as "drift across") does not demonstrate any preparations to use the disputed domain name. Nor do the

Respondent's unsuccessful attempts to acquire a different domain name demonstrate preparations to use that or any other domain name.

The Respondent also submits that he acquired the disputed domain name legally. However, the mere registration of a domain name does not confer rights or legitimate interests for the purposes of the Policy, otherwise no complaint could ever succeed, which would be an illogical result.

Accordingly, the Panel finds that the Respondent has not rebutted the Complainant's prima facie showing.

Based on the record, 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 first of these circumstances is as follows:

"(i) circumstances indicating that [the respondent has] registered or [the respondent has] acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of [the respondent's] documented out-of-pocket costs directly related to the [disputed] domain name;"

In the present case, the disputed domain name was acquired by the Respondent in November 2025, years after the registration of the Complainant's FANDUEL mark. Although the mark combines two English words, they do not form a common phrase. The disputed domain name incorporates that exact combination, together with the word "predicts", which is identical to the name of the Complainant's "FanDuel Predicts" mobile application. Even though the Complainant's website is not accessible in China without a virtual private network, the possibility that the Respondent chose that combination of three words in that same order by coincidence is remote. Although he claims that he did not know of the existence of the Complainant's brand or its business prior to this dispute, the Respondent offers no clear explanation for his selection of the disputed domain name. Moreover, the Respondent has registered multiple other domain names that incorporate third party trademarks. While those domain names are not at issue in this dispute, they indicate that the composition of the disputed domain name forms part of a pattern of conduct, which supports an inference that the Respondent deliberately incorporated the Complainant's mark in the disputed domain name as well. In view of these circumstances, the Panel finds that the Respondent acquired the disputed domain name with the Complainant's FANDUEL mark in mind.

With respect to use, while the disputed domain name itself does not resolve to an active website, it was offered for sale on a third party website for USD 2,699 as recently as February 2026, which is about USD 700 more than the Respondent paid for it. The Respondent does not appear to have incurred any other costs directly related to the disputed domain name. Accordingly, the Panel finds that these circumstances suggest that the Respondent acquired the disputed domain name, incorporating the Complainant's trademark, possibly for the purpose of selling it, which constitutes bad faith.

The Respondent submits that the offer for sale is out-of-date information authorized by the prior holder of the disputed domain name. Even if that were true (which is not proven), this would not alter the Panel's overall conclusion regarding bad faith in the circumstances of this case. Prior UDRP panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. See WIPO Overview 3.1, section 3.3.

In the present case, the Panel notes the distinctiveness of the Complainant's FANDUEL trademark, and the composition of the disputed domain name, which is identical to the name of the Complainant's FanDuel Predicts mobile application. The Panel also notes the fact that the Respondent has registered multiple other domain names that incorporate third party trademarks. In view of all these circumstances, the Panel finds that the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Respondent argues that the Complainant has misled users regarding the availability of domain names in different TLDs containing "FanDuel Predicts". However, trademark owners are under no legal obligation to notify domain name brokers of domain names in the brokers' portfolios that contain their marks. In any case, the Complainant has indeed taken action against the disputed domain name by filing the Complaint.

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

D. Reverse Domain Name Hijacking

The Respondent requests that the Panel find that the Complainant has engaged in Reverse Domain Name Hijacking. However, the Panel declines to make such a finding because it has upheld the Complaint.

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 <fanduelpredicts.com> be transferred to the Complainant.

/Matthew Kennedy/
Matthew Kennedy
Sole Panelist
Date: April 8, 2026