

ADMINISTRATIVE PANEL DECISION

Novomatic AG v. Stanislav Novak

Case No. D2026-0755

1. The Parties

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

The Respondent is Stanislav Novak, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <book-of-ra.guru> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on February 23, 2026. On February 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On February 27, 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 (Redacted for Privacy, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on February 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 March 2, 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 March 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was March 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on March 26, 2026.

The Center appointed Tommaso La Scala as the sole panelist in this matter on April 7, 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 in this administrative proceeding is an Austrian-based company offering online gambling games (such as virtual slot machines) also under the brand “Book of Ra”.

The Complainant owns several international and national trademarks for BOOK OF RA, including EUTM No. 004451431 since May 24, 2006 (duly renewed), covering class 9 and basis of an international registration.

The disputed domain name was registered on May 23, 2025, and it has been used to resolve to a website mimicking the layout, look and contents of the Complainant’s official 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 that:

- (a) the disputed domain name is confusingly similar to the Complainant’s trademarks;
- (b) the Respondent lacks any rights or legitimate interests in the disputed domain name; and
- (c) the Respondent registered and is using the disputed domain name in bad faith, namely for impersonating the Complainant in order to mislead Internet users for undue commercial purposes.

B. Respondent

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

6. Discussion and Findings

6.1 Procedural matters

The Panel notes that the Respondent’s postal address is stated to be in Ukraine and that no communication has been received from the Respondent.

Since the Respondent’s postal address is stated to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

The Panel takes into account that the Center used the Respondent's email address as disclosed by the Registrar for the purposes of notifying the Complaint. According to the case file, this notification was successfully delivered to the Respondent. The Panel further notes that the Respondent registered the disputed domain name as recently as May 25, 2025, thus being able to control the disputed domain name and its contents, and being able to file a Response if it wished to do so.

Accordingly, the Panel considers it is able to proceed to determine this Complaint and to draw inferences from the Respondent's failure to file any Response. While the Respondent's failure to file a Response does not automatically result in a decision in favor of the Complainant, the Panel may draw appropriate inferences from the Respondent's default.

6.2 Substantive matters

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

The Complainant has established rights in the BOOK OF RA trademark.

The disputed domain name consists of the BOOK OF RA trademark with the sole addition of dashes (-) between each word composing the expression "Book of Ra". This Panel finds that the Complainant's mark is recognizable within the disputed domain name and that such addition does not prevent a finding of confusing similarity between the disputed domain name and the Complainant's trademarks.

Therefore, the Panel finds the disputed domain name to be confusingly similar to the BOOK OF RA trademark in which the Complainant has rights. Accordingly, 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 3.1](#), section 2.1.

This Panel finds that the Complainant has made a prima facie case that the Respondent does not have rights or legitimate interests in the disputed domain name. As a matter of fact, the Respondent does not appear to be commonly known by the name BOOK OF RA and/or any similar name. The Respondent has no connection to or affiliation with the Complainant, and the Complainant has not licensed or otherwise authorized the Respondent to use or register any domain name incorporating the Complainant's trademark. The Respondent does not appear to make any legitimate noncommercial or fair use of the disputed domain name, nor any use in connection with a bona fide offering of goods or services. Lastly, the Respondent has used the disputed domain name to illicitly impersonate the Complainant.

Having reviewed the available record and considering that 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 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 Complainant has documented that the Respondent has registered and used the disputed domain name to attempt to defraud others by impersonating the Complainant's official website. This conduct is, in the Panel's view, sufficient to show that the Respondent not only knew of the Complainant and its trademarks but intentionally intended to divert Internet users.

The Panel finds that the Respondent's use of the disputed domain name constitutes a disruption of the Complainant's business and qualifies as bad faith registration and use under the Policy.

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

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 <book-of-ra.guru> be transferred to the Complainant.

/Tommaso La Scala/

Tommaso La Scala

Sole Panelist

Date: April 17, 2026