

ADMINISTRATIVE PANEL DECISION

Hector Manuel Fallas, v. Host Master, Transure Enterprise Ltd
Case No. D2026-1380

1. The Parties

The Complainant is Hector Manuel Fallas, Costa Rica, represented by Bach Legal Group, United States of America ("United States").

The Respondent is Host Master, Transure Enterprise Ltd, United States.

2. The Domain Names and Registrar

The disputed domain names <skipthegamrs.com>, <skipthehgames.com>, and <skipthgames.com> are registered with Above.com Pty Ltd. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on March 31, 2026. On April 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 7, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Unknown / privacy-protected registrant(s)) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 8, 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 April 9, 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 April 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 6, 2026.

The Center appointed Warwick A. Rothnie as the sole panelist in this matter on May 15, 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 June 4, 2026, the Panel issued Administrative Procedural Order No 1 pursuant to paragraphs 10 and 12 of the Policy inviting the Complainant to file by June 11, 2026, a supplemental filing clarifying the Complainant's claim to have acquired rights before the disputed domain name was registered.

On June 9, 2026, the Complainant submitted a supplemental filing in response to Administrative Procedural Order No 1. Although the Administrative Panel Order provided for the Respondent to submit a reply to the Complainant's supplemental filing by June 18, 2026, no submission was received from the Respondent.

4. Factual Background

The Complainant provides what may euphemistically be called an online dating or "escort".

The Complainant's service is provided from a website at "www.skipthegames.com".

According to a Whois report, the Complainant's domain name was registered on August 14, 2014. The Wayback Machine recorded its first capture of the website on September 28, 2014. Between September 28, 2014 and May 24, 2026, the Wayback Machine had made 3,797 captures of the landing page for the website.

The Complainant owns two registered trademarks for SKIP THE GAMES:

- (1) United States Registered Trademark No. 7,642,585 which has been registered since January 7, 2025 in the Principal Register in respect of dating services provided via mobile application and website for adult dating and casual connections. The trademark claims a first use in commerce of March 22, 2020; and
- (2) European Union Registered Trademark No. 019208270 which was registered on December 24, 2025 in respect of computer software in International Class 9 and dating services in International Class 45.

According to the Whois reports:

- (a) The disputed domain name <skipthgames.com> was registered on January 18, 2017;
- (b) The disputed domain name <skipthegamrs.com> was registered on May 19, 2017; and
- (c) The disputed domain name <skipthehgames.com> was registered on February 20, 2023.

When the Complaint was filed, each disputed domain name resolved to a parking page provided by the Registrar which featured pay-per-click ("PPC") advertising links and includes at the top of the landing page the notice that "this domain may be for sale".

In the partial screenshots included with the Complaint, the landing page for the <skipthegamrs.com> disputed domain name features PPC links for "10 Fun Indoor Activities", "Entertainment Articles", "Live Entertainment" and "Internet Entertainment"; the landing page for the <skipthgames.com> disputed domain name shows PPC links for "Play Games Online", "PC Games Online" and "Online Gaming Platform Offers"; and the landing page for the <skipthehgames.com> disputed domain name includes PPC links for "Best Free Asian Dating Sites for Serious Relationships", "Apply for Hardship Cash" and "Senior Housing without Waiting".

At the time this decision is being prepared, each disputed domain name redirects to the website at “www.stripchat.com” which describes itself as:

“the world's premier 18+ LIVE adult entertainment destination for real connection and adult play. Watch, chat, and explore your desires with real people streaming live every day, and over 150,000 amateurs, professionals, and couples to choose from every month.”

5. Discussion and Findings

No response has been filed. The Complaint and Written Notice have been sent, however, to the Respondent at the electronic and physical coordinates confirmed as correct by the Registrar in accordance with paragraph 2(a) of the Rules. Bearing in mind the duty of the holder of a domain name to provide and keep up to date correct Whois details, therefore, the Panel finds that the Respondent has been given a fair opportunity to present his or its case.

When a respondent has defaulted, paragraph 14(a) of the Rules requires the Panel to proceed to a decision on the Complaint in the absence of exceptional circumstances. Accordingly, paragraph 15(a) of the Rules requires the Panel to decide the dispute on the basis of the statements and documents that have been submitted and any rules and principles of law deemed applicable.

Paragraph 4(a) of the Policy provides that in order to divest the Respondent of a disputed domain name, the Complainant must demonstrate each of the following:

- (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 in bad faith.

A. Identical or Confusingly Similar

The first element that the Complainant must establish is that the disputed domain name is identical with, or confusingly similar to, the Complainant's trademark rights.

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 proven ownership of registered trademarks for SKIP THE GAMES.

The comparison of the disputed domain names to the Complainant's trademark simply requires a visual and aural comparison of the disputed domain names to the proven trademarks. This test is narrower than and thus different to the question of “likelihood of confusion” under trademark law. Therefore, questions such as the scope of the trademark rights, the geographical location of the respective parties, the date they were acquired and other considerations that may be relevant to an assessment of infringement under trademark law are not relevant at this stage. Such matters, if relevant, may fall for consideration under the other elements of the Policy. See e.g. [WIPO Overview 3.1](#), section 1.7.

In undertaking that comparison, it is permissible in the present circumstances to disregard the generic Top Level Domain (“gTLD”) component as a functional aspect of the domain name system. [WIPO Overview 3.1](#), section 1.11.

Disregarding the “.com” gTLD, the disputed domain names consist of obvious misspellings of the Complainant’s registered trademark. These differences do not preclude a finding of confusing similarity. See e.g. [WIPO Overview 3.1](#), section 1. Apart from anything else, the Complainant’s trademark remains visually and aurally recognisable within each disputed domain name.

Accordingly, the Panel finds that the Complainant has established that the disputed domain names are confusingly similar to the Complainant’s trademark and the requirement under the first limb of the Policy is satisfied.

B. Rights or Legitimate Interests

The second requirement the Complainant must prove is that the Respondent has no rights or legitimate interests in the disputed domain names.

Paragraph 4(c) of the Policy provides that the following circumstances may be situations in which the Respondent has rights or legitimate interests in a disputed domain name:

- (i) before any notice to [the Respondent] of the dispute, [the Respondent’s] use of, or demonstrable preparations to use, the [disputed] domain name or a name corresponding to the [disputed] domain name in connection with a bona fide offering of goods or services; or
- (ii) [the Respondent] (as an individual, business, or other organization) has been commonly known by the [disputed] domain name, even if [the Respondent] has acquired no trademark or service mark rights; or
- (iii) [the Respondent] is making a legitimate noncommercial or fair use of the [disputed] domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.

These are illustrative only and are not an exhaustive listing of the situations in which a respondent can show rights or legitimate interests in a domain name.

While 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 often impossible 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. 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.

In this case, the Respondent registered the disputed domain names before the Complainant registered its trademarks. That generally precludes a finding of bad faith under the third requirement (see [WIPO Overview 3.1](#), section 3.8) and, where goods or services are in fact being offered, potentially brings the circumstances outlined in paragraph 4(c)(i) above into play. The general rule gives way where the Complainant has been using its trademark before its registration and the circumstances indicate the Respondent registered the disputed domain names to capitalise on those unregistered rights unfairly. (In the context of the third requirement, see [WIPO Overview 3.1](#), section 3.8.2.).

In this case, the evidence demonstrates that the Complainant has in fact been using its trademark since late 2014 – well before any of the disputed domain names was registered. Further, judging by the extensive and solid number of captures by the Wayback Machine, that use has been on a substantial scale. For the reasons expanded on in Section 5C below, therefore, the Panel considers the registration of the disputed domain names before the registration of the Complainant's trademark does not preclude a finding that the Respondent does not have rights or legitimate interests in the disputed domain names.

Further, the Complainant states that it has not authorised the Respondent to use the disputed domain names. Nor is the Respondent affiliated with it in any way.

Further still, the disputed domain names are not derived from the Respondent's name. Nor is there any suggestion of some other name by which the Respondent is commonly known from which the disputed domain names could be derived. From the available record, the Respondent does not appear to hold any trademarks for the disputed domain names.

Yet still further, offering the disputed domain names for sale and, pending that sale, to generate revenue through PPC links does not qualify as a legitimate noncommercial or fair use for the purposes of paragraph 4(c)(iii) of the Policy. Nor is it a good faith offering of goods or services for the purposes of paragraph 4(c)(i).

Correspondingly, it is not a good faith offering of goods or services for the purposes of paragraph 4(c)(i) of the Policy to use a confusingly similar disputed domain name to attract members of the public to a competing website (in this case "www.stripchat.com") in the mistaken belief that it is the Complainant's website or is associated in some way with the Complainant.

These matters, taken together, are sufficient to establish a prima facie case under the Policy that the Respondent has no rights or legitimate interests in the disputed domain names. The basis on which the Respondent has adopted the disputed domain names, therefore, calls for explanation or justification. The Respondent, however, has not sought to rebut that prima facie case or advance any claimed entitlement. Accordingly, the Panel finds the Complainant has established the second requirement under the Policy also.

C. Registered and Used in Bad Faith

Under the third requirement of the Policy, the Complainant must establish that the disputed domain names have been both registered and used in bad faith by the Respondent. These are conjunctive requirements; both must be satisfied for a successful complaint: see e.g., *Group One Holdings Pte Ltd v. Steven Hafto* WIPO Case No. [D2017-0183](#).

While the Respondent registered the disputed domain names before the Complainant registered its trademark, the disputed domain names were registered at least three years (and in one case almost nine years) after the Complainant began using its trademark. In addition, the frequency of the Wayback Machine captures of the Complainant's website leads the Panel to infer that the Complainant's service and trademark were well-known at least among the audience for such services.

"Skip the games" is arguably a colloquial expression along the lines of stop messing about. In that sense, it perhaps has some relevance to the Complainant's service. But, so far as the record in this proceeding shows, it has significance in the relevant field because of its use by the Complainant for its service. In addition, there is no obvious connection between the expression and the Respondent or its name. In these circumstances, the Panel considers this is an appropriate case to treat as an exception to the general rule that a panel will not normally find bad faith where the disputed domain names were registered before the Complainant registered its trademark. [WIPO Overview 3.1](#), section 3.8.2.

The Complainant points out that each disputed domain name closely mimics the Complainant's trademark and contends they clear examples of "typosquatting". [WIPO Overview 3.1](#), sections 3.1.4 and 3.2.1. That conclusion is reinforced by the resolution of each disputed domain name to PPC parking pages, which include the invitation "This domain may be for sale".

That concern would be even greater with the redirection of the disputed domain names to the "Strip Chat" website.

In these circumstances, the Panel accepts the Complainant's submission that the Respondent has intentionally attempted to attract Internet users to the Respondent's websites for commercial gain by creating a likelihood of confusion as to source, sponsorship, affiliation or endorsement as proscribed by 4(b)(iv) of the Policy.

In view of the exhortation "this domain may be for sale" on each of the landing pages when the Complaint was filed, there is also considerable force in the Complainant's submission that the Respondent registered each disputed domain name with a view to selling, renting, or otherwise transferring it for a price greater than however much the Respondent paid for the disputed domain names.

In circumstances where the Respondent has not sought to claim, let alone establish, that he or she has rights or legitimate interests in the disputed domain names, therefore, the Panel finds the Respondent has registered and used each in bad faith.

Accordingly, the Complainant has established all three requirements under 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 names <skipthegamrs.com>, <skipthehgames.com>, and <skipthgames.com> be transferred to the Complainant.

/Warwick A. Rothnie/

Warwick A. Rothnie

Sole Panelist

Date: June 29, 2026