ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Novomatic AG v. Milena Lazarova
Case No. D2026-1470

1. The Parties

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

Respondent is Milena Lazarova, Bulgaria.

2. The Domain Name and Registrar

The disputed domain name <bookofra-nigeria.com> is registered with Moniker Online Services, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 7, 2026. On April 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 8, 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 (Moniker Privacy Services) and contact information in the Complaint. The Center sent an email communication to Complainant on April 9, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant filed an amendment to the Complaint on April 9, 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 Respondent of the Complaint, and the proceedings commenced on April 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 4, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on May 5, 2026.

The Center appointed Timothy D. Casey as the sole panelist in this matter on May 8, 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

Complainant is the owner of trademark registrations in the United States of America ("United States"), the European Union and other countries in class 9, including for casino games, that include the "book of ra" as an element of the mark (the "BOOK OF RA Marks"), as follows:

Mark	Jurisdiction	Class(es)	Registration No.	Registration Date
BOOK OF RA	United States	9, 41	4800800	August 25, 2015
BOOK OF RA	European Union	9	004451431	May 24, 2006

The disputed domain name was registered February 24, 2026. Complainant provided evidence that the disputed domain name resolved to a website offering slot games and providing gambling.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, Complainant contends that it has rights in the BOOK OF RA Marks, as evidenced herein and that the disputed domain name is identical to or confusingly similar to the BOOK OF RA Marks because the disputed domain name includes the entirety of the BOOK OF RA Marks and the addition of the non-distinctive, geographical term "Nigeria" in the disputed domain name does not preclude confusing similarity.

Complainant contends that Respondent has no right or legitimate interest in the disputed domain name because the disputed domain name is being used in violation of the law and Complainant's trademark rights. Complainant further contends that Respondent is operating a website using the disputed domain for infringing slot games and providing illegal gambling.

Complainant contends the disputed domain name was registered and is being used in bad faith because Respondent registered the disputed domain name long after Complainant had registered the BOOK OF RA Marks and installed Complainant's website, which Complainant contends has been copied by Respondent, such that Respondent was aware of Complainant's right. Complainant further contends that Respondent's website is using the disputed domain to offer illegal copies of Complainant's slot games and provide illegal gambling. As such, Complainant contends, Respondent is using the disputed domain name to create a likelihood of confusion with the BOOK OF RA Marks as to the source, sponsorship, affiliation, or endorsement of Respondent's goods and has intentionally attempted to attract visitors to its website or location for commercial gain.

B. Respondent

Respondent did not reply to 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 omplainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

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.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

Although the addition of other terms here "Nigeria" may bear on assessment of the second and third elements, the Panel finds the addition of such 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 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 Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain name. Respondent has not rebutted 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.

Panels have held that the use of a domain name for illegal activity here, claimed offering of counterfeit versions of the Complainant's goods, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

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 Respondent is operating a website using the disputed domain name to sell infringing slot games and to provide illegal gambling, which evidences both disruption of the business of a competitor and intentional attempts to attract, for commercial gain, Internet users by creating a likelihood of confusion with Complainant's mark.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.1, section 3.2.1.

Panels have held that the use of a domain name for illegal activity, here claimed sale of counterfeit goods, constitutes bad faith. WIPO Overview 3.1, section 3.4. Having reviewed the record, the Panel finds Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that 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 <bookofra-nigeria.com> be transferred to Complainant.

/Timothy D. Casey/
Timothy D. Casey
Sole Panelist
Date: May 22, 2026