

ADMINISTRATIVE PANEL DECISION

Novomatic AG v. YURY ZANCHENKO

Case No. D2026-1509

1. The Parties

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

Respondent is YURY ZANCHENKO, Ukraine.

2. The Domain Names and Registrar

The disputed domain names <bookofra-ar.com>, <bookofra-at.com>, <bookofra-au.com>, <bookofra-bd.com>, <bookofra-be.com>, <bookofra-br.com>, <bookofra-ca.com>, <bookofra-ch.com>, <bookofra-co.com>, <bookofra-cz.com>, <bookofra-dk.com>, <bookofra-es.com>, <bookofra-fi.com>, <bookofra-fr.com>, <bookofra-gr.com>, <bookofra-hr.com>, <bookofra-hu.com>, <bookofra-in.com>, <bookofra-mx.com>, <bookofra-nl.com>, <bookofra-no.com>, <bookofra-nz.com>, <bookofra-pl.com>, <bookofra-ro.com>, <bookofra-si.com>, <bookofra-sk.com>, <bookofra-th.com>, <bookofra-tr.com>, and <bookofra-vn.com> are registered with Name.com, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 9, 2026. On April 9, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On April 9, 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 (Redacted For Privacy) and contact information in the Complaint. The Center sent an email communication to Complainant on April 10, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. Complainant did not file any amendment to the Complaint.

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified Respondent of the Complaint, and the proceedings commenced on April 27, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 17, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent’s default on May 23, 2026.

The Center appointed Yijun Tian as the sole panelist in this matter on June 4, 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. Further Procedural Considerations

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality, that each Party is given a fair opportunity to present its case, and that the administrative proceeding takes place with due expedition.

Since the Respondent's address is stated to be in Ukraine, which continues to be affected by an ongoing international conflict at the date of this Decision, the Panel has considered whether that circumstance may have affected notification of the Complaint or otherwise warrant delaying the proceeding.

Having considered all the circumstances of the case, the Panel concludes that the proceeding should continue. The Center formally notified Respondent of the Complaint by the means prescribed in the Rules, including by email to the addresses provided by the Registrar and to the relevant postmaster email addresses. There is no evidence in the record that those communications were not successfully transmitted. Respondent did not submit any Response.

Accordingly, the Panel is satisfied that the Parties have been given a fair opportunity to present their respective cases and, consistent with paragraph 10 of the Rules, the Panel proceeds to render its Decision.

5. Factual Background

A. Complainant

Complainant, Novomatic AG, is a company incorporated in Austria with its principal place of business in Gumpoldskirchen, Austria. Complainant develops and markets gaming products and services, including the well-known BOOK OF RA casino game.

Complainant has exclusive rights in the BOOK OF RA trademarks. Complainant owns numerous registered trademark for BOOK OF RA, including, among others, European Union (EU) Trade Mark No. 004451431 (BOOK OF RA), registered on May 23, 2005; Australian Trade Mark No. 1060854 (BOOK OF RA), registered on June 17, 2005; United Kingdom (UK) Trade Mark No. UK00912456828 (BOOK OF RA), registered on April 23, 2014, United States Trade Mark No. 86306165 (BOOK OF RA), registered on August 25, 2015, and International Registration No. 1257376 (BOOK OF RA), registered on March 4, 2015.

Complainant also owns numerous additional BOOK OF RA trademark registrations in, among other jurisdictions, Australia, Canada, China, Moldova, Morocco, Switzerland, Argentina, Costa Rica and Albania (Annex 3 to the Complaint).

B. Respondent

Respondent is YURY ZANCHENKO, Ukraine.

C. The Disputed Domain Names

The disputed domain names <bookofra-ar.com>, <bookofra-at.com>, <bookofra-au.com>, <bookofra-bd.com>, <bookofra-be.com>, <bookofra-br.com>, <bookofra-ca.com>, <bookofra-ch.com>, <bookofra-co.com>, <bookofra-cz.com>, <bookofra-dk.com>, <bookofra-es.com>, <bookofra-fi.com>, <bookofra-fr.com>, <bookofra-gr.com>, <bookofra-hr.com>, <bookofra-hu.com>, <bookofra-in.com>, <bookofra-mx.com>, <bookofra-nl.com>, <bookofra-no.com>, <bookofra-nz.com>, <bookofra-pl.com>,

<bookofra-ro.com>, <bookofra-si.com>, <bookofra-sk.com>, <bookofra-th.com>, <bookofra-tr.com>, and <bookofra-vn.com> were all registered on July 1, 2026, after the registration of the BOOK OF RA trademarks (since 2005).

The evidence shows that all of the disputed domain names resolve to substantially identical websites offering unauthorised online casino games using the BOOK OF RA trademark. The websites also redirect users to the same online casino and are used to offer infringing copies of Complainant's well-known slot game (Annex 1 to the Complaint).

6. Parties' Contentions

A. Complainant

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

Complainant submits that each disputed domain name is confusingly similar to its BOOK OF RA trademark because it wholly incorporates that mark, merely adding a two-letter geographical abbreviation corresponding to a country. Such additions do not prevent a finding of confusing similarity.

Complainant contends that Respondent has no rights or legitimate interests in respect of the disputed domain names.

Complainant contends that the disputed domain names were registered and are being used in bad faith.

Complainant requests that the disputed domain names be transferred to Complainant.

B. Respondent

Respondent did not reply to Complainant's contentions.

7. 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 Complainant's trademark and the disputed domain names. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

Based on the available record, the Panel finds 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 Panel finds that each disputed domain name incorporates Complainant's BOOK OF RA trademark in its entirety. The only additional element is a two-letter geographical abbreviation corresponding to a country (for example, "au", "ca", "fr", or "nz"), together with the ".com" generic Top-Level Domain ("gTLD"). The addition of such geographical abbreviations does not prevent a finding of confusing similarity under the Policy. See [WIPO Overview 3.1](#), section 1.8.

Accordingly, the Panel finds that the disputed domain names are confusingly similar to Complainant's BOOK OF RA trademark.

Based on the available record, 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.

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.

Having reviewed the record, the Panel finds Complainant has established a prima facie case that Respondent lacks rights or legitimate interests in the disputed domain names. 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 names such as those enumerated in the Policy or otherwise.

More specifically,

- (i) There has been no evidence adduced to show that Respondent is using the disputed domain names in connection with a bona fide offering of goods or services. Respondent has not provided evidence of a legitimate use of the disputed domain names or reasons to justify the choice of the term “Book of RA”, Complainant’s BOOK OF RA trademark, in the disputed domain names. There has been no evidence to show that Complainant has licensed or otherwise permitted Respondent to use the BOOK OF RA trademarks or to apply for or use any domain name incorporating the BOOK OF RA marks.
- (ii) There has been no evidence adduced to show that Respondent has been commonly known by the disputed domain names. There has been no evidence adduced to show that Respondent has any registered trademark rights with respect to the disputed domain names. Respondent registered the disputed domain names in 2026, long after the BOOK OF RA marks became widely known. The disputed domain names are confusingly similar to Complainant’s BOOK OF RA trademarks; and
- (iii) There has been no evidence adduced to show that Respondent is making a legitimate noncommercial or fair use of the disputed domain names. By contrast, all disputed domain names resolve to substantially identical websites offering unauthorised online casino games using Complainant’s BOOK OF RA trademark and redirecting Internet users to the same online casino. It seems that Respondent is making profits through the Internet traffic attracted to the websites under the disputed domain names. (See *BKS Bank AG v. Jianwei Guo*, WIPO Case No. [D2017-1041](#); *Pet Plan Ltd. v. 权中俊 and 李金梁 (Li Jin Liang)*, WIPO Case No. [D2020-3358](#).)

Based on the available 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.

In the present case, the Panel notes that Respondent has registered and used the disputed domain names in bad faith.

The Panel finds that Complainant has a widespread reputation in the BOOK OF RA trademarks with regard to its products and services. As mentioned above, Complainant owns numerous registrations for the BOOK OF RA trademarks in multiple jurisdictions, including the EU, Australia, the UK, the United States of America, and through the International Registration system. Complainant's trademark rights date back to 2005, long before the registration of the disputed domain names (in 2026). It is not conceivable that Respondent would not have had actual notice of Complainant's trademark at the time of the registration of the disputed domain names. This has been reinforced by the fact that each disputed domain name incorporates Complainant's BOOK OF RA trademark in its entirety together with only a geographical abbreviation.

Thus, the Panel concludes that the disputed domain names were registered in bad faith.

Respondent has used the website resolved by the disputed domain names to offer unauthorised online casino games using Complainant's BOOK OF RA trademark and to redirect Internet users to the same online casino. Thus, the Panel concludes that Respondent is currently using confusingly similar disputed domain names with the intention to attract, for commercial gain, Internet users to Respondent's websites by creating a likelihood of confusion with Complainant as to the source, sponsorship, affiliation, or endorsement of Respondent's websites and the services offered thereon. Such use constitutes bad faith pursuant to paragraph 4(b)(iv) of the Policy.

In summary, Respondent, by choosing to register and use the disputed domain names, which are confusingly similar to the BOOK OF RA trademarks, intended to ride on the goodwill of these trademarks in an attempt to exploit, for commercial gain, Internet users destined for Complainant. In the absence of evidence to the contrary and rebuttal from Respondent, the choice of the disputed domain names and the conduct of Respondent as far as the websites to which the disputed domain names resolve are indicative of registration and use of the disputed domain names in bad faith.

Based on the available record, the Panel finds the third element of the Policy has been established.

8. 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 <bookofra-ar.com>, <bookofra-at.com>, <bookofra-au.com>, <bookofra-bd.com>, <bookofra-be.com>, <bookofra-br.com>, <bookofra-ca.com>, <bookofra-ch.com>, <bookofra-co.com>, <bookofra-cz.com>, <bookofra-dk.com>, <bookofra-es.com>, <bookofra-fi.com>, <bookofra-fr.com>, <bookofra-gr.com>, <bookofra-hr.com>, <bookofra-hu.com>, <bookofra-in.com>, <bookofra-mx.com>, <bookofra-nl.com>, <bookofra-no.com>, <bookofra-nz.com>, <bookofra-pl.com>, <bookofra-ro.com>, <bookofra-si.com>, <bookofra-sk.com>, <bookofra-th.com>, <bookofra-tr.com>, and <bookofra-vn.com> be transferred to Complainant.

/Yijun Tian/

Yijun Tian

Sole Panelist

Dated: June 25, 2026