

## **ADMINISTRATIVE PANEL DECISION**

Tipico Group Ltd. v. Ihor Kradion  
Case No. D2026-1571

### **1. The Parties**

The Complainant is Tipico Group Ltd., Malta, represented by Boehmert & Boehmert, Germany.

The Respondent is Ihor Kradion, Ukraine.

### **2. The Domain Name and Registrar**

The disputed domain name <de-tipico.com> is registered with NameCheap, Inc. (the “Registrar”).

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 14, 2026. On April 14, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 15, 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, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 16, 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 April 16, 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 April 21, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 11, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on May 15, 2026.

The Center appointed Gill Mansfield as the sole panelist in this matter on May 19, 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 is an international trading company established under the laws of Malta and with headquarters in Malta. It is part of the Tipico Group of companies and is a provider of sports betting services and online games. It was founded in 2004, has branches in Germany, Austria, Croatia, Gibraltar and Malta, and is one of the leading sports betting companies in Germany with over 1000 betting shops throughout Germany. The Tipico Group is licensed by the competent authorities in Germany, Austria and Malta to conduct online and land-based betting business and other business connected to betting activities, and is subject to gambling regulations and guidelines imposed by those authorities. The Tipico Group engages in significant marketing efforts and is the sponsor of German football league club FC Bayern Munich and both the German Soccer League (DFL) and the German Soccer Association (DFB).

The Complainant has a large portfolio of registered trademarks, including (inter alia):

European Union trademark registration number 003939998 for TIPICO (word mark) registered on September 23, 2005 in class 41.

European Union trademark registration number 011339835 for TIPICO (figurative mark) registered on May 3, 2013 in classes 3, 7, 9, 14, 16, 25, 28, 32, 33, 34, 35, 36, 38, 41, 42, 43 and 45.

European Union trademark registration number 017913149 for TIPICO (figurative mark) registered on May 16, 2019 in classes 9, 14, 16, 25, 28, 32, 34, 35, 36, 38, 41, 42, 43 and 45.

The Complainant holds the domain name registrations <tipico.com> and <tipico.de>.

The disputed domain name was registered on March 26, 2026 and at the time of the Complaint resolved to a website offering online casino games and gambling services competing with the Complainant's TIPICO gaming and betting services.

#### **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 the Complainant's TIPICO trademark in that it uses the registered TIPICO trademark with merely the addition of the country code "de" for Germany.

The Complainant also contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. It states that the Complainant has not licensed or otherwise permitted the Respondent to use any of its trademarks, or to register the disputed domain name incorporating its TIPICO trademark. The Complainant submits that the Respondent is not making a legitimate non-commercial or fair use of the disputed domain name. On the contrary, it argues that the Respondent's behaviour shows a clear intent to obtain an unfair commercial gain, with a view to misleadingly divert customers or to tarnish the trademarks owned by the Complainant. It further submits that the website which the disputed domain name resolves to does not meet the requirements for a bona fide offering of goods and service (including the criteria set out in *Oki Data Americas, Inc. v. ASD, Inc.*, WIPO Case Number [D2001-0903](#)).

The Complainant states that the Respondent is not offering the Complainant's betting services but is promoting competing betting services by redirecting the disputed domain name to another website offering games and gambling services. The Complainant also contends that the use of the disputed domain name cannot be considered to be "fair" as it suggests an affiliation with the Complainant and its TIPICO trademark which will mislead Internet users regarding the relationship between the website and the Complainant.

Finally, the Complainant contends that the disputed domain name was registered and is being used in bad faith. It argues that it is evident that the Respondent knew of the Complainant's TIPICO trademark when registering the disputed domain name. It submits that the Respondent started forwarding the disputed domain name to a website offering competing casino games services immediately after registering it. The Complainant further submits that in reproducing the Complainant's TIPICO trademark accompanied by the descriptive country code "de" for Germany in the disputed domain name, and forwarding the disputed domain name to a website offering competing casino games services, the Respondent suggests that the website to which the disputed domain name resolves belongs to the Complainant, or is an official affiliated franchise partner endorsed by the Complainant. The Complainant asserts that this constitutes bad faith registration and use under paragraph 4(b)(iv) of the Policy.

## **B. Respondent**

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

## **6. Discussion and Findings**

Under paragraph 4(a) of the Policy the Complainant carries the burden of proving:

- (i) that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights, and
- (ii) that the Respondent has no rights or legitimate interests in respect of the disputed domain name, and
- (iii) that the disputed domain name has been registered and is being used in bad faith.

### **A. Procedural Issue: Location of the Respondent**

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

The location of the Respondent disclosed by the Registrar appears to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification. It is therefore appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceedings should continue.

Having considered all the circumstances of the case, the Panel is of the view that it should.

The Panel notes that the Center notified the Respondent of the Complaint using all available means, including to the Respondent's email address as disclosed by the Registrar. The available record indicates that delivery to that email address was completed on April 21, 2026. The Panel also notes that the disputed domain name was registered on March 26, 2026, during the international conflict, suggesting that the Respondent is able to access the Internet and maintain control of the disputed domain name, and should have also received the electronic notification of this proceeding.

Moreover, for the reasons set out below, the Panel has no serious doubt that the Respondent registered and has used the disputed domain name in bad faith and with the intention of unfairly targeting the Complainant's TIPICO trademark. The Panel also notes that although the reported location of the Respondent is Ukraine, the disputed domain name is geographically targeted at the German market.

The Panel concludes that the Respondent has been given a fair opportunity to present its case, and so that the proceedings take place with due expedition, the Panel will proceed to a decision accordingly. (See *Netbet Entreprises Ltd v. Privacy Service provided by Withheld for Privacy ehf / Vladimir Vladimir, Crowd inc*, WIPO Case No. [D2022-1420](#)).

## **B. 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 Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The 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.

The applicable Top-Level Domain ("TLD") in a domain name is a standard registration requirement and as such the TLD ".com" in the disputed domain name is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

Although the addition of other terms (here, the addition of "de-" before "tipico") 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.

## **C. 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. [WIPO Overview 3.1](#), section 2.1.

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. 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.

In particular, the Respondent is not licensed or otherwise permitted by the Complainant to use any of its trademarks or to register a domain name incorporating the Complainant's TIPICO trademark. There is no evidence that the Respondent is commonly known by the disputed domain name. The Panel notes that the name provided to the Registrar by the Respondent is "Ihor Kradion". There is also no evidence of use, or demonstrable preparations to use, the disputed domain name for a bona fide offering of goods or services, or of any legitimate noncommercial or fair use of the disputed domain name without intent for commercial gain to misleadingly divert customers.

The disputed domain name consists of the Complainant's TIPICO mark in full with only the addition of the letters "de" followed by a dash before TIPICO. The Panel notes the "de" is the country-code for Germany, which is a country in which the Complainant has a significant market presence. This creates the false impression of a legitimate domain name of the Complainant targeted at the German market. The Panel finds that the composition of the disputed domain name is such as to carry a risk of implied affiliation with the Complainant's trademark which cannot constitute fair use as it effectively impersonates the Complainant, or suggests affiliation with or sponsorship or endorsement by the Complainant ([WIPO Overview 3.1](#), section 2.5.1).

Moreover, the record shows that at the time of the Complaint, the disputed domain name redirected to an active website that offered competing third party gambling and gaming services. As such, the use of the disputed domain name by the Respondent cannot be characterised as being in connection with a bona fide offering of goods or services.

In addition, according to paragraph 14(b) of the Rules, the Panel may draw from the lack of response of the Respondent such inferences as it considers appropriate. The Panel is of the view that the lack of a substantive response to the Complainant's contentions from the Respondent further corroborates the absence of any rights or legitimate interests of the Respondent in the disputed domain name.

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

#### **D. 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 the Complainant's first registration of the TIPICO trademark pre-dates the registration of the disputed domain name by over 20 years, and also the Complainant's reputation in the TIPICO trademark. As set out above, the disputed domain name uses the Complainant's registered TIPICO trademark in its entirety with the addition of "de" (plus a dash) which is a geographical indicator for Germany and which Internet users are likely to identify with the German market where the Complainant has a strong presence and reputation. The Panel further notes that the disputed domain name forwards to a website providing casino games and gambling services which are competitive with those of the Complainant.

In the circumstances, it is implausible that the Respondent did not have knowledge of the Complainant's trademark at the time that the disputed domain name was registered. The construction of the disputed domain name and the Respondent's actions in redirecting the disputed domain name to a website that offers services which directly compete with the Complainant's business demonstrate the Respondent's knowledge and targeting of the Complainant's TIPICO trademark.

The Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark as to the source, sponsorship, affiliation or endorsement of the Respondent's website or products or services on the Respondent's website under paragraph 4(b)(iv) of the Policy.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

The Panel finds that the 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 <de-tipico.com> be transferred to the Complainant.

*/Gill Mansfield/*

**Gill Mansfield**

Sole Panelist

Date: June 2, 2026