

ADMINISTRATIVE PANEL DECISION

Virgin Enterprises Limited v. Grigoriy Desad
Case No. D2026-1627

1. The Parties

Complainant is Virgin Enterprises Limited, United Kingdom, represented by Venner Shipley LLP, United Kingdom.

Respondent is Grigoriy Desad, Ukraine, self-represented.

2. The Domain Name and Registrar

The disputed domain name <casino-virgin-uk.com> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 16, 2026. On April 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 17, 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) and contact information in the Complaint. The Center sent an email communication to Complainant on April 23, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on April 27, 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 Respondent of the Complaint, and the proceedings commenced on April 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 19, 2026. Respondent sent an email communication to the Center on April 29, 2026.

The Center appointed Stephanie G. Hartung as the sole panelist in this matter on June 2, 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 a company organized under the laws of the United Kingdom that is active in various industrial fields, including financial services, health and wellness, music and entertainment (including games), and many more.

Complainant has provided evidence that it is the registered owner of numerous trademarks relating to its company name and brand VIRGIN, inter alia, but not limited to, the following:

- word trademark VIRGIN, Intellectual Property Office (IPO) United Kingdom, registration number: UK00003163121, registration date: July 29, 2016, status: active;
- word trademark VIRGIN, European Union Intellectual Property Office (EUIPO), registration number: 005189923, registration date: May 2, 2007, status: active.

Moreover, Complainant has demonstrated to own the domain name <virgin.com> which resolves to Complainant's main website at "www.virgin.com" through which Complainant promotes since the year 2000 its various products and services globally.

Respondent, according to the Registrar verification, is located in Ukraine. The disputed domain name was registered on January 13, 2026. By the time of the rendering of this Decision, the disputed domain name does not resolve to any active content on the Internet. Complainant, however, has demonstrated that, at some point before the filing of the Complaint, the disputed domain name resolved to a website at "www.casino-virgin-uk.com" that purported to offer online gaming, betting and or casino services, thereby prominently displaying Complainant's official VIRGIN trademark logo, using various other signs, e.g. "VIRGIN CASINO" and "VIRGIN GAMES" in colors red and white like Complainant's VIRGIN trademark logo, and including features such as a "Login" ribbon similar to the setup of Complainant's official website. Moreover, the website under the disputed domain name used contact information relating to Complainant's group of companies, but displayed an email address under the disputed domain name.

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

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 due to e.g. a considerable online presence, including various social media platforms, its VIRGIN trademark has meanwhile built up significant global reputation.

Complainant submits that the disputed domain name is confusingly similar to Complainant's VIRGIN trademark, as it incorporates the latter in its entirety, added by the terms "casino" and "uk". Moreover, Complainant asserts that Respondent has no rights or legitimate interests in respect of the disputed domain name since (1) Complainant has not authorized Respondent to use its VIRGIN trademark or to register any domain name thereunder, (2) the website under the disputed domain name purports to offer online gaming, betting and/or casino services, thereby using various features such as Complainant's official trademark logo as well as a "login" ribbon which mimics the one used on Complainant's official website, (3) the website under the disputed domain name also provides the address of the company operating Complainant's games

business, (4) furthermore, such website uses odd language that would not typically be expected from an online gaming provider, and (5) various hyperlinks on such website redirected to third-party websites providing online games, which are services in competition with Complainant's business. Finally, Complainant argues that Respondent has registered and is using the disputed domain name in bad faith since (1) the activities under the disputed domain name are clearly done intentionally to deceive consumers into thinking that the disputed domain name is operated by or connected to Complainant which it is not, (2) Respondent is likely receiving a fee per click-through from the website under the disputed domain name to the third party gaming websites offering services that compete with those of Complainant, and (3) given the significant reputation which Complainant's VIRGIN trademark enjoys, it is inconceivable that Respondent was unaware thereof when it registered the disputed domain name.

B. Respondent

Respondent did not formally reply to Complainant's contentions, but sent an email communication to the Center on April 29, 2026, in which he requested that Complainant need submit additional documentary evidence in relation to its allegations; furthermore, Respondent argued that the website under the disputed domain name (1) was not intended to impersonate Complainant as it was not operated as an official casino platform, (2) did not contain links to third-party casino websites other than references or links to Complainant itself, and (3) provided an independent review based on real data and publicly available information as it existed at the time the review was prepared.

6. Discussion and Findings

Under paragraph 4(a) of the Policy, 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 Complainant has rights; and
- (ii) that 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. Identical or Confusingly Similar

First, 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 VIRGIN 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 its VIRGIN trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of such trademark is reproduced within the disputed domain name, merely added by the descriptive term "casino" and the geographical term "uk". Accordingly, the disputed domain name is confusingly similar to Complainant's VIRGIN trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7. Although the addition of other terms (here, the descriptive term "casino" and the geographical term "uk" which direct at Complainant's business and legal domicile, respectively) may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and Complainant's VIRGIN trademark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel, therefore, holds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Second, 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 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.

In particular, Respondent has not been authorized to use Complainant’s VIRGIN trademark, either as a domain name or in any other way. Also, there is no reason to believe that Respondent’s name somehow corresponds with the disputed domain name, and Respondent does not appear to have any trademark rights associated with e.g. the term “virgin” on its own. Rather and as sufficiently documented by Complainant, at some point before the filing of the Complaint, the disputed domain name resolved to a website at “www.casino-virgin-uk.com” that purported to offer online gaming, betting, and/or casino services, thereby prominently displaying Complainant’s official VIRGIN trademark logo, using various other signs, e.g. “VIRGIN CASINO” and “VIRGIN GAMES” in colors red and white like Complainant’s VIRGIN trademark logo, and including features such as a “Login” ribbon similar to the setup of Complainant’s official website. Moreover, the website under the disputed domain name used contact information relating to Complainant’s group of companies but displayed an email address under the disputed domain name. Such making use of the disputed domain name, therefore, neither qualifies as bona fide nor as legitimate noncommercial or fair within the meaning of the Policy. Finally, panels have long held that the use of a domain name for illegal activity (here, Complainant’s obvious impersonation/passing-off) can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1. In light of these circumstances, Respondent’s unsupported allegations are unconvincing and do not demonstrate any rights or legitimate interests under the Policy.

The Panel, therefore, holds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Third, 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 circumstances of this case, including the specific composition of the disputed domain name, leave no serious doubt that Respondent was fully aware of Complainant’s business, inter alia, in the gaming industry and its rights in the VIRGIN trademark when registering the disputed domain name and that the latter is clearly directed thereto. Moreover, using the disputed domain name, which is at least confusingly similar to Complainant’s undisputedly well-reputed VIRGIN trademark, to operate a website at “www.casino-virgin-uk.com” that purported to offer online gaming, betting and or casino services, thereby prominently displaying Complainant’s official VIRGIN trademark logo, using various other signs, e.g. “VIRGIN CASINO” and “VIRGIN GAMES” in colors red and white like Complainant’s VIRGIN trademark logo, including features such

as a “Login” ribbon similar to the setup of Complainant’s official website, and even displaying address information relating to Complainant, is a clear enough indication that Respondent intentionally attempted to attract, for commercial gain, Internet users to its own website by creating a likelihood of confusion with Complainant’s VIRGIN trademark as to the source, sponsorship, affiliation or endorsement of Respondent’s website. Such circumstances are evidence of registration and use of the disputed domain name in bad faith within the meaning of paragraph 4(b)(iv) of the Policy. Finally, panels have long held that the use of a domain name for illegal activity (here, Complainant’s obvious impersonation/passing-off) constitutes bad faith, too. [WIPO Overview 3.1](#), section 3.4.

The Panel, therefore, holds 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, <casino-virgin-uk.com>, be transferred to Complainant.

/Stephanie G. Hartung/

Stephanie G. Hartung

Sole Panelist

Date: June 11, 2026