

ADMINISTRATIVE PANEL DECISION

St. Michael's College School v. KOI TOTO
Case No. D2026-1746

1. The Parties

The Complainant is St. Michael's College School, Canada, represented by Carters Professional Corporation, Canada.

The Respondent is KOI TOTO, Cambodia.

2. The Domain Name and Registrar

The disputed domain name <stmichaelsbuzzers.com> is registered with Gname 203 inc (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 23, 2026. On April 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 27, 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 (TOTO 12) and contact information in the Complaint. The Center sent an email communication to the Complainant on April 28, 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 30, 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 May 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 26, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 27, 2026.

The Center appointed Dennis A. Foster as the sole panelist in this matter on June 5, 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 a Catholic boys' school in Ontario, Canada that was founded in the mid-1800s as an affiliate of the University of Toronto. The Complainant is known for its sports teams, particularly its ice hockey teams. Its junior ice hockey team is known as the "Buzzers", and in conjunction with this team and associated merchandise, the Complainant owned the disputed domain name for roughly a decade before allowing it to lapse through administrative oversight.

The Complainant has an extensive website found at "www.stmichaelscollegeschool.com".

The Complainant also owns a Canadian registered trademark for one of its hockey teams, ST. MICHAEL'S BUZZERS, registration no. TMA 726209, registration date October 16, 2008, for associated goods including hockey equipment and various other merchandise that fans might buy to boost the team such as hats and sweatshirts.

The Respondent is an entity/person located in Cambodia that registered the disputed domain name on May 12, 2025. The Respondent has used the disputed domain name to direct Internet visitors to other websites that offer online gambling. The Complainant sent the Respondent a cease-and-desist letter on November 10, 2025, but the Respondent did not reply or take any remedial action.

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.

In brief, the Complainant contends the following:

- The Complainant is the owner of a Canadian trademark registration for ST. MICHAEL'S BUZZERS. The Respondent has no authorization to use the Complainant's trademark.
- The disputed domain name is identical to the Complainant's trademark, excluding the punctuation.
- The generic Top-Level Domain ("gTLD") ".com" should not be taken into consideration in assessing identity or confusing similarity.
- The Respondent is using the disputed domain name to direct Internet users to its gambling websites.
- This is not a bona fide offering of goods or services: it tarnishes the Complainant's trademark because the Complainant is a Catholic educational institution.
- The Respondent uses the disputed domain name to advertise its gambling services.
- The disputed domain name should be transferred to the Complainant.

B. Respondent

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

6. Discussion and Findings

Pursuant to Policy paragraphs 4(a)(i), (ii), and (iii), the Panel may render a decision for the Complainant and grant a transfer of the disputed domain name, if the Complainant shows that:

- The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;
- The Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- The disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

The Complainant's first burden of proof under Policy paragraph 4(a)(i) is to show that it has trademark rights adequate to provide standing to bring this proceeding. In this regard, the Complainant has provided a copy of its registered Canadian trademark ST. MICHAEL'S BUZZERS whose details the Panel has set forth in the Factual Background section above. The Panel finds this is proof that the Complainant has trademark rights in the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.2.1.

Next, the Complainant needs to show that the disputed domain name is either identical or confusingly similar to the Complainant's trademark. The Complainant contends the disputed domain name is identical to its trademark, excluding the punctuation. The Panel finds that the Complainant's trademark is recognizable within the disputed domain name, and that the disputed domain name is confusingly similar to the Complainant's trademark. As the Complainant points out, the generic Top-Level Domain ("gTLD") ".com" should not be taken into consideration when conducting an identical or confusingly similar analysis. [WIPO Overview 3.1](#), sections 1.7 and 1.11.1.

The Panel finds, then, that the Complainant has carried its burden of proof under Policy paragraph 4(a)(i).

B. Rights or Legitimate Interests

The Complainant's next burden of proof, under Policy paragraph 4(a)(ii), is to show that the Respondent does not have rights or legitimate interests in the disputed domain name. Under Policy consensus, a complainant initially is required to make just a prima facie case because of the difficulty of proving a negative as a fact. Then the burden of production shifts to a respondent to come forward and show that that respondent does have rights or legitimate interests in the disputed domain name. The overall burden of proof does, however, remain on a complainant. [WIPO Overview 3.1](#), section 2.1.

In our present case, the Complainant contends the Respondent has no authorization to use the Complainant's trademark in the disputed domain name. Moreover, the Complainant contends, the Respondent is passing itself off as the Complainant in order to solicit gambling at its various websites. The Panel finds this is a prima facie case under the Policy that the Respondent does not have rights or legitimate interests in the disputed domain name. [WIPO Overview 3.1](#), section 2.1.

Given that the Respondent has not come forward with evidence to rebut the Complainant's prima facie case, and given that the Respondent is using the trademark of a boys' school sports team to promote gambling while trading off the Complainant's reputation, the Panel finds the Complainant's prima facie case will stand as is. [WIPO Overview 3.1](#), section 2.1.

The Panel thus finds that the Complainant has carried its burden of proof under Policy paragraph 4(a)(ii) to show the Respondent does not have rights or legitimate interests in the disputed domain name.

C. Registered and Used in Bad Faith

The Complainant's final burden of proof, under Policy paragraph 4(a)(iii), is to show that the Respondent registered and is using the disputed domain name in bad faith. Taking up this issue, the Panel notes that the Policy at paragraph 4(b) lays out four non-exclusive grounds on which a panel may find a respondent has registered and is using a disputed domain name in bad faith. The Panel finds that the Respondent's conduct in the present case meshes with the bad faith provisions of Policy paragraph 4(b)(iv), i.e., the Respondent has registered the disputed domain name, which is confusingly similar to the Complainant's trademark, in order to confuse Internet visitors into thinking the Respondent is related to the Complainant for the Respondent's financial gain.

It is clear that the Respondent had the Complainant in mind when registering the disputed domain name because the Respondent was hoping the disputed domain name which was previously owned by the Complainant might provide a more wholesome prelude for the Respondent's website gambling operations.

The Panel therefore finds the Complainant has carried its burden of proof under Policy paragraph 4(a)(iii) to show that the Respondent registered and is using the disputed name in bad faith.

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 <stmichaelsbuzzers.com> be transferred to the Complainant.

/Dennis A. Foster/

Dennis A. Foster

Sole Panelist

Date: June 17, 2026