ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Kamagames Entertainment Group Limited v. Laurie Roberson
Case No. D2026-1758

1. The Parties

The Complainant is Kamagames Entertainment Group Limited, Isle of Man, represented by Kosnahan Law, Isle of Man.

The Respondent is Laurie Roberson, United States of America ("United States").

2. The Domain Name and Registrar

The disputed domain name <texaspokerist.com> is registered with Spaceship, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on April 24, 2026. On April 27, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On April 28, 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 (Whois Privacy Protection Services / Redacted for Privacy Purposes, 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 29, 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 amended Complaint on May 5, 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 the Respondent of the Complaint, and the proceedings commenced on May 7, 2026. In accordance with the Rules, paragraph 5, the due date for Response was May 27, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on May 28, 2026.

The Center appointed Wilson Pinheiro Jabur 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

The Complainant is the owner of the POKERIST trademark, licensed to third parties for use in connection with software and mobile applications focused on the social gaming market, offering games with casino themes, such as "Texas Hold'em", a variant of the poker game.

The Complainant is the owner of the following, amongst others, trademark registrations (Annex 3 to the Amended Complaint):

- United Kingdom trademark registration No. UK00910675627 for the word mark POKERIST.COM, registered on June 15, 2012, successively renewed, in classes 9, 25, 38, and 41;

- European Union trademark registration No. 010675627 for the word mark POKERIST.COM, registered on June 15, 2012, successively renewed, in classes 9, 25, 38, and 41;

- United States trademark registration No. 4328859 for the word mark POKERIST.COM, registered on April 30, 2013, successively renewed, in class 25; and

- United States trademark registration No. 4099075 for the word mark POKERIST, registered on February 14, 2012, successively renewed, in international class 9.

The disputed domain name was registered on April 1, 2026, and presently does not resolve to an active webpage. At the time of the filing of the Complaint, the disputed domain name resolved to a webpage offering a social gaming poker and related 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 its POKERIST social casino games have been downloaded over 10 million times on the Google Play store alone and that along with other games developed by the Complainant and exploited under the POKERIST brand across multiple online platforms in over 33 languages the Complainant's POKERIST trademark has achieved a global reputation and associated goodwill through extensive use online internationally.

Under the Complainant's view, the disputed domain name incorporates its POKERIST trademark entirely, and the addition of the geographic term "texas" does not prevent a finding of confusing similarity thereof.

As to the Respondent's lack of rights or legitimate interests, the Complainant argues that:

- the Respondent is neither a licensee of the Complainant, nor does it have any association, connection or affiliation with the Complainant, its brand or approved licensors;

- the Respondent has not received any authorization or consent, express or implied, to use the Complainant's POKERIST trademark;

- the Respondent does not own any registered trademark identical or confusingly similar to the Complainant's POKERIST trademark; and

- by using the disputed domain name to offer competing gaming services, the Respondent is not making a bona fide offer of goods or services, or a legitimate noncommercial or fair use of the disputed domain name.

As to the Respondent's bad faith registration and use of the disputed domain name, the Complainant contends that its POKERIST trademark is well known internationally, making it implausible that the Respondent would be unaware of it. Furthermore, the Respondent's use of the disputed domain name to offer competing gaming services indicates that the Respondent targeted the Complainant and seeks to take an unfair advantage of the Complainant's trademark. Lastly, the Complainant points out that the Respondent selected a privacy protection service so as to conceal its true identity, what is a further indication of the Respondent's bad faith registration and use of the disputed domain name.

B. Respondent

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

6. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the complainant has rights;

(ii) the respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

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 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. Although the addition of other term ("texas") 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 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, according to the evidence submitted, 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.

The Respondent is neither a licensee of the Complainant, nor does it have any association, connection or affiliation with the Complainant; nor has the Respondent received any authorization or consent, express or implied, to use the Complainant's POKERIST trademark.

Also, the lack of evidence as to any trademarks registered by the Respondent corresponding to the disputed domain name corroborates the indication of an absence of rights or legitimate interests in the disputed domain name.

The Panel notes that the Complainant has substantially marketed and became known by POKEERIST mark, including through its mobile application - which has been downloaded more than 10 million times through Google Play – and its domain name <pokerist.com>. In these circumstances, the basis on which the Respondent has adopted the disputed domain name, incorporating the entirety of that trademark, calls for explanation or justification. The Respondent, however, has not sought to rebut the Complainant's prima facie case or advance any such explanation.

Under these circumstances, the Panel finds that 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.

This case presents the following circumstances which indicate under the balance of probabilities bad faith registration and use of the disputed domain name:

a) the composition of the disputed domain name consisting of the reproduction of the Complainant's trademark coupled with the past use of the disputed domain name for the offer of competing gaming services;

b) the Respondent has not responded to the Complainant's contentions; and

c) the present inactive use of the disputed domain name. Panels have found that the non-use of a domain name would not by itself prevent a finding of bad faith under the doctrine of passive holding. To the contrary, in looking at the totality of circumstances in each case, panels have found that the registration and non-use of a domain name can still constitute bad faith for purposes of the Policy. WIPO Overview 3.1, section 3.3. The Panel finds that the change in use in the present case reinforces the finding that there was no good faith intention behind the registration and prior use of the disputed domain name.

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 <texaspokerist.com> be transferred to the Complainant.

/Wilson Pinheiro Jabur/
Wilson Pinheiro Jabur
Sole Panelist
Date: June 11, 2026