

ADMINISTRATIVE PANEL DECISION

Virgin Enterprises Limited v. Mariano De La Viuda Cuesta
Case No. D2026-1874

1. The Parties

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

The Respondent is Mariano De La Viuda Cuesta, Spain.

2. The Domain Name and Registrar

The disputed domain name <virgin-gamesbet.com> is registered with NameSilo, LLC (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on April 30, 2026. On April 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 1, 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 (Privacy User, See PrivacyGuardian.org) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 1, 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 6, 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 15, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 4, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on June 5, 2026.

The Center appointed Ahmet Akgüloğlu as the sole panelist in this matter on June 10, 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 part of a group of companies collectively referred to as the Virgin Group (“Virgin Group”) and is the owner of the VIRGIN brand and associated trademarks.

The businesses of the Virgin Group (“Virgin Businesses”) span a diverse range of sectors covering financial services, health and wellness, music and entertainment (including games), retail, people and planet, telecommunications and media, travel and leisure, and space. There are currently more than 40 Virgin Businesses with tens of millions of customers worldwide and they employ more than 70,000 people across multiple business sectors and five continents.

The Complainant owns and manages a portfolio of VIRGIN trademarks, including word marks and the VIRGIN signature logo, and licenses such rights to Virgin Businesses. The Complainant’s trademark portfolio comprises approximately 3,500 trademark applications and registrations in more than 150 countries covering the majority of the 45 Nice classes of goods and services.

In particular, the Complainant owns the following trademark registrations:

- United Kingdom Trademark Registration No. UK00911099355 for VIRGIN GAMES in Classes 9, 16, 28, 35, 38, and 41, registered on May 27, 2013;
- United Kingdom Trademark Registration No. UK00003163121 for VIRGIN in Classes 3, 5, 9, 11, 12, 14, 16, 31, 32, 33, 35, 36, 38, 39, 41, 42, 43, 44, 45, registered on July 29, 2016; and
- United Kingdom Trademark Registration No. UK00003269158 for VIRGIN BET in Class 41 registered on February 2, 2018.

The Complainant also owns trademark registrations for the following logos (“VIRGIN GAMES Logo”, “VIRGIN Signature Logo”)¹:



¹ European Union Trademark Registration No. 019129296 in Classes 9, 38, 41, and 42, registered on May 29, 2025.
United Kingdom Trademark Registration No. UK00003163127 in multiple Classes, registered on July 29, 2016.

The Complainant has built up a considerable online presence and is the registered proprietor of more than 7,000 domain names consisting of or incorporating its VIRGIN trademark. Since 2000, the website located at the domain name <virgin.com> has been used to promote the activities of the Virgin Group. The website at the <virgin.com> domain name contains links to the websites of most companies forming part of the Virgin Group.

In 2004, the Virgin Group launched an online gaming and gambling service provider, Virgin Games, which operates under the mark VIRGIN GAMES. Virgin Games was later acquired by Gamesys Group. Gamesys Group has a license to offer gaming and gambling services in the United Kingdom under the mark VIRGIN GAMES.

Virgin Games offers online gaming services and gambling services via its website and via a mobile application. Games that can be played include online slot machines, classic casino games, live casino games, online poker games and online roulette. Customers can also chat with the dealer and with other players when playing online live games via a chat room. Information about Virgin Games and the services it offers under the VIRGIN GAMES brand, is available at the domain name <virgingames.com>.

In 2019, the Virgin Group launched an online sports betting service provider, Virgin Bet, which operates under the mark VIRGIN BET. Virgin Bet offers online sports betting services via its website and via a mobile application. Customers can place bets on a wide range of sporting events and access various betting markets and promotional offers. Information about Virgin Bet and the services it offers under the VIRGIN BET brand is available at <virginbet.com>.

At the time of filing of the Complaint, the disputed domain name <virgin-gamesbet.com > resolved to a website displaying the sign VIRGIN GAMES and various elements associated with Virgin Games. The website used the sign VIRGIN GAMES throughout, featured the Virgin Games Diamond Logo and the Virgin signature logo, and used the sign VIRGINGAMES CASINO as a heading at the top of the homepage and referred to itself as the “Virgin Games Casino App” in the footer. The text on the website was in Dutch and purported to offer online gaming and gambling services. When Internet users clicked on hyperlinks appearing on the website, they were redirected to third-party websites providing online gaming services. Currently, the disputed domain name resolves to an error page.

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:

(a) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainants have rights.

The Complainant argues that there is a likelihood of confusion between the disputed domain name and the Complainant's VIRGIN, VIRGIN GAMES and VIRGIN BET trademarks. The Complainant further submits that the disputed domain name incorporates the entirety of the registered VIRGIN, VIRGIN GAMES and VIRGIN BET, as well as the entirety of the distinctive verbal elements of the registered VIRGIN Signature Logo and VIRGIN GAMES Diamond Logo. In addition, the Complainant contends that Internet users are likely to mistake the website under the disputed domain name for an official website for either Virgin Games or Virgin Bet, or a merged undertaking of the two operated by the Complainant, and that the disputed domain name contains no additional elements that can distinguish it from the Complainant's registered marks.

(b) The Respondent has no rights or legitimate interests in respect of the disputed domain name.

The Complainant submits that the Respondent has not been authorized, licensed or otherwise permitted to use the Complainant's VIRGIN, VIRGIN GAMES and VIRGIN BET trademarks or to register the disputed domain name. The Complainant is unaware of any legitimate reason for the Respondent's use of marks identical or highly similar to the Complainant's trademarks in connection with online gaming and betting services, being services for which the Complainant's marks enjoy a reputation.

The Complainant also contends that the Respondent is using the disputed domain name to host links to third-party websites, likely for commercial gain. Such use is unfair and will divert actual or prospective consumers away from Virgin Games and Virgin Bet. In addition, Internet users may submit personal and sensitive data through the email addresses associated with the disputed domain name, which could be used for fraudulent purposes.

According to the Complainant, there is no evidence that the Respondent has ever used, or made preparations to use, the disputed domain name or the name VIRGIN, VIRGIN GAMES or VIRGIN BET in connection with a legitimate business.

(c) The disputed domain name was registered and is being used in bad faith.

The Complainant also submits that the disputed domain name was registered and is being used in bad faith. According to the Complainant, the disputed domain name resolved to a website purporting to offer online gaming and betting services while displaying signs identical or highly similar to the Complainant's VIRGIN GAMES, VIRGIN BET and VIRGIN trademarks and reproducing various elements associated with Virgin Games and Virgin Bet. Such use is intended to deceive consumers into believing that the website is operated by, affiliated with or otherwise connected to the Complainant.

The Complainant further contends that the website under the disputed domain name lacks information typically found on legitimate online gaming websites, including company information, privacy policy and terms and conditions, and that the odd and confusing language used throughout the website strongly indicates that no legitimate business is operated from the website under the disputed domain name. In addition, the website under the disputed domain name redirected Internet users to third-party gaming websites, and the Respondent is likely receiving click-through fees for such redirections.

The Complainant also submits that such activity is not a good faith use of the disputed domain name and is likely to divert actual or prospective customers away from Virgin Games and/or Virgin Bet. Any resulting harm is liable to tarnish the substantial reputation associated with the Complainant's trademarks and disrupt the Complainant's business.

According to the Complainant, it is inconceivable that the Respondent was unaware of Virgin Games and Virgin Bet or the Complainant's VIRGIN GAMES, VIRGIN BET and VIRGIN trademarks when registering the disputed domain name, given the significant reputation that existed in the Complainant's VIRGIN GAMES, VIRGIN BET and VIRGIN trademarks at the time the disputed domain name was registered.

Accordingly, the Complainant submits that, by using the disputed domain name, 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 trademarks as to the source, sponsorship, affiliation or endorsement of the website and the services offered thereon.

B. Respondent

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

6. Discussion and Findings

Paragraph 15(a) of the Rules instructs the Panel to “decide a complaint on the basis of the statements and documents submitted and in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable”. Paragraph 4(a) of the Policy requires that the Complainant prove each of the following three elements to obtain an order that the disputed domain name should be transferred or cancelled: (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 was registered and is being used in bad faith. The Panel will proceed to analyze whether the three elements of paragraph 4(a) of the Policy are satisfied in these proceedings.

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 another term “bet” may bear on assessment of the second and third elements, the Panel finds the addition of such a 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.

Furthermore, it should be noted that the Complainant owns trademark registrations for VIRGIN BET in addition to its VIRGIN GAMES trademark. Accordingly, the inclusion of the term “bet” in the disputed domain name does not prevent a finding of confusing similarity.

The generic Top-Level Domain (“gTLD”), here “.com”, is disregarded, as gTLDs typically do not form part of the comparison on the grounds that they are required for technical reasons.

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 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.

As noted, the addition of the term "bet" in the disputed domain name does not prevent a finding of confusing similarity and, rather, serves to reinforce and increase the likelihood of confusion with the Complainant's trademarks. The Respondent did not reply to the Complainant's contentions. The Panel accepts that the Complainant has not licensed or otherwise authorized the Respondent to use its VIRGIN GAMES or VIRGIN BET trademarks and finds no indication that the Respondent is commonly known by the disputed domain name. Nor has the Respondent submitted any response demonstrating rights or legitimate interests in the disputed domain name. There is no evidence that the Respondent's activities through the disputed domain name constitute fair use or legitimate non-commercial use.

The evidence shows that the disputed domain name resolves to a website offering betting and gaming services using the Complainant's VIRGIN, VIRGIN GAMES, and VIRGIN BET trademarks. The website prominently displays the Complainant's VIRGIN GAMES and VIRGIN BET marks and offer services identical or confusingly similar to those of the Complainant, while also containing links redirecting Internet users to third-party platforms.

The Respondent has not submitted any evidence demonstrating bona fide use of the disputed domain name. In these circumstances, the Panel finds that the Respondent has intentionally sought to create the impression that the website is operated by, affiliated with, or otherwise connected to the Complainant, thereby misleading Internet users for commercial gain.

Panels have held that the use of a domain name for illegal activity here, claimed copycat site/passing off can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

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 the Respondent engaged in conduct indicative of bad faith and registered the disputed domain name with the intention of attracting, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's VIRGIN GAMES, VIRGIN BET and VIRGIN trademarks.

The disputed domain name was registered long after the Complainant had obtained its trademark registrations and established a substantial reputation in the VIRGIN, VIRGIN GAME and VIRGIN BET marks. The incorporation of well-known trademarks in a domain name is itself suggestive of bad faith (see *PJ Hungary Szolgáltató Korlátolt Felelősségű Társaság v. Web Commerce Communications Limited, Client Care*, WIPO Case No. [D2022-1345](#)).

According to the evidence provided by the Complainant, the Respondent used the disputed domain name for a website purporting to offer online gaming and betting services while prominently displaying the VIRGIN GAMES and VIRGIN BET marks and the Virgin Games logo and reproducing various elements associated with the Complainant and Virgin Games and Virgin Bet. The website under the disputed domain name also redirected Internet users to third-party websites offering competing services. In the Panel's view, the Respondent thereby sought to take unfair advantage of the Complainant's reputation and to create the false impression that the website was operated by, affiliated with, or endorsed by the Complainant.

In these circumstances, the Panel finds that the Respondent intentionally attempted to attract, for commercial gain, Internet users to the website associated with the disputed domain name by creating a likelihood of confusion with the Complainant's marks as to the source, sponsorship, affiliation, or endorsement of the website and the services offered thereon, within the meaning of paragraph 4(b)(iv) of the Policy.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. [WIPO Overview 3.1](#), section 3.2.1.

Panels have held that the use of a domain name for illegal activity here, claimed copycat site/passing off constitutes bad faith. [WIPO Overview 3.1](#), section 3.4. 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 <virgin-gamesbet.com> be transferred to the Complainant.

/Ahmet Akgüloğlu/

Ahmet Akgüloğlu

Sole Panelist

Date: June 24, 2026