

ADMINISTRATIVE PANEL DECISION

Virgin Enterprises Limited v. Daryna Shkelebei
Case No. D2026-1879

1. The Parties

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

The Respondent is Daryna Shkelebei, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <virgincasino-ireland.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 30, 2026. On May 1, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 4, 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 May 5, 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 May 5, 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 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 29, 2026.

The Center appointed Elizabeth Ann Morgan as the sole panelist in this matter on June 9, 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 (the “Virgin Group”), and is the owner of the VIRGIN brand and associated trademarks. The VIRGIN brand was originally established as a business selling popular music records by mail order under the Virgin name. The Complainant’s VIRGIN branded businesses (the “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 millions of customers worldwide and the Complainant employs more than 70,000 people across multiple business sectors and five continents.

The Complainant is responsible for registering and maintaining registrations for trademarks containing the VIRGIN name and VIRGIN signature logo and licensing these rights to the Virgin Businesses, which are all part of the Virgin Group. Owing to the breadth of products and services offered by Virgin Businesses, the Complainant owns a substantial portfolio of approximately 3,500 trademark applications and registrations in over 150 countries, covering the majority of the 45 Nice classes of goods and services.

These include but are not limited to: United Kingdom Trade Mark Registration No. UK00003163121 for the mark VIRGIN registered on July 29, 2016 in respect of inter alia ‘electronic games services provided by means of the Internet or any other communications network’ in class 41; United Kingdom Trade Mark Registration No. UK00911099355 for the mark VIRGIN GAMES registered on May 27, 2013 in respect of inter alia ‘Entertainment services relating to games, lotteries, games of chance, games of skill, gambling games, bingo, betting, pools, casinos and poker including the provision of such services on a website over computer networks; information relating to games, lotteries, games of chance, games of skill, gambling games, bingo, betting, pools, casinos and poker provided on-line from a computer database or the Internet; Internet games; electronic games services relating to games, lotteries, games of chance, games of skill, gambling games, bingo, betting, pools, casinos and poker provided by means of the Internet; online games competitions relating to games, lotteries, games of chance, games of skill, gambling games, bingo, betting, pools, casinos and poker; credit card betting; games, lotteries, games of chance, games of skill, gambling games, bingo, betting, pools, casinos and poker provided from a computer database or via the Internet’ in class 41; and European Union Trade Mark No. 005189923 for the mark VIRGIN registered on May 2, 2007 in respect of inter alia ‘gaming services; provision of access to online computer games; betting and gambling services; entertainment services; providing online computer games; provision of online games for remote users or remote competitors; downloadable electronic games provided via the Internet’ in class 41.

The Complainant has built up a considerable online presence and is the registered proprietor of over 7,000 domain names consisting of or incorporating the VIRGIN mark. The Complainant’s licensee, Virgin Red Limited (a Virgin Business and member of the Virgin Group) operates a website at “www.virgin.com” which has been in use since 2000 to promote the activities of the Virgin Group, including most Virgin Businesses, along with ventures and foundations of the Virgin Group (the “Virgin.com Website”).

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 and today Gamesys Group uses the VIRGIN GAMES trademark under license from the Complainant. Gamesys has a license to offer gaming and gambling services in the United Kingdom under the mark VIRGIN GAMES.

In 2019, the Virgin Group launched an online sports betting platform available in the United Kingdom called “Virgin Bet”, operated through the website “www.virginbet.com” and its associated app, which operates under the mark VIRGIN BET and the VIRGIN BET Logo.

The disputed domain name was registered on November 21, 2025, and resolved to a website which appears to offer casino games and gambling services under the title “VirginGAMES”, by making unauthorised use of the Complainant’s registered VIRGIN GAMES Logo mark, and adopting the predominantly red color scheme of the Complaint’s various Virgin businesses and websites. Upon inspection, many of the links resolve to third-party websites, each of which appears to offer betting and casino games, in competition with the services offered by the Virgin Group and Virgin businesses.

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 use of the Virgin Games Logo on the website as well as the use of the signs VIRGIN, in conjunction with the overarching red color scheme of the website would tend to indicate that the website, and by extension the registration of the Disputed Domain, serve no purpose other than to attempt to deceive internet users into believing that they are interacting with a website operated by one of the Complainant’s Virgin businesses.

B. Respondent

The Respondent did not reply to the Complainant’s contentions

6. Discussion and Findings

6.1 Preliminary Matters – Further Procedural Considerations

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 that the administrative proceeding takes place with due expedition. Since the Respondent’s mailing address is stated to be in Ukraine, which is subject to an international conflict at the date of this Decision that may impact case notification, it is 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 they should. The Panel notes the Notification of the Complaint was sent to the email address disclosed for the Respondent by the Registrar in its Registrar Verification Response related to the disputed domain name. There is no evidence that the case notification emails to the email address indicated by the Registrar were not successfully delivered. Postal email was also sent to the address revealed by the Registrar, but the delivery failed because the recipient was absent.

The Panel therefore concludes that the Respondent has been given a fair opportunity to present its case, and so that the administrative proceedings take place with due expedition, the Panel will proceed to a Decision accordingly.

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 terms here, “casino” and “ireland” 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 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 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.

Panels have held that the use of a domain name for illegitimate here, claimed copycat sites, passing off, or other types of fraud 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 registered and is using the disputed domain to deceive internet users into believing that they are interacting with a website operated by one of the Complainant’s Virgin businesses. The disputed domain name is composed of the terms “Virgin”, “casino” and “ireland” and therefore incorporates the Complainant’s registered mark VIRGIN. Inclusion of the terms “casino” and “Ireland” is liable to cause Internet users to associate the disputed domain name with the Complainant’s VIRGIN and VIRGIN GAMES marks, in light of the context in which those marks are used by the Complainant – i.e. on and in relation to the Virgin Bet Website and Virgin Games Website, which offer betting, gambling and casino games services.

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 illegitimate activity here claimed copycat sites, passing off or other types of fraud 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 <virgincasino-ireland.com> be transferred to the Complainant.

/Elizabeth Ann Morgan/

Elizabeth Ann Morgan

Sole Panelist

Date: June 17, 2026