

ADMINISTRATIVE PANEL DECISION

Virgin Enterprises Limited v. Viktorija Diviana, Private Person
Case No. D2026-2247

1. The Parties

The Complainant is Virgin Enterprises Limited, United Kingdom ("UK"), represented by Venner Shipley LLP, UK.

The Respondent is Viktorija Diviana, Private Person, Lithuania.

2. The Domain Name and Registrar

The disputed domain name <virgin77casino.com> is registered with URL Solutions, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 26, 2026. On May 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On May 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on May 27, 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 27, 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 June 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was June 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on June 24, 2026.

The Center appointed Mehmet Polat Kalafatoglu as the sole panelist in this matter on June 30, 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 part of a group of companies collectively referred to as 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 under the “Virgin” name. On this date, VIRGIN branded 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. It is also noted that 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 sectors and five continents.

The Complainant contends that it owns a portfolio of approximately 3,500 trademark applications and registrations in over 150 countries, and owns trademark registrations for or integrating VIRGIN including the following:

- The UK trademark registration No. UK00003163121 for VIRGIN, registered on July 29, 2016;
- The UK trademark registration No. UK00003163127 for the VIRGIN signature logo, registered on July 29, 2016;
- The European Union (“EU”) Trade Mark registration No. 005189923 for VIRGIN, registered on May 2, 2007; and
- The EU Trade Mark registration No. 011099355 for VIRGIN GAMES, registered on May 27, 2013.

According to the Complaint, the Complainant is the owner of over 7,000 domain names consisting of or incorporating the VIRGIN trademark, such as the <virgin.com> domain name, which has been in use since 2000 to promote the activities of the Virgin Group.

In 2004, the Virgin Group launched an online gaming and gambling service provider, “Virgin Games”, which operates under the trademark VIRGIN GAMES. Virgin Games was later acquired by Gamesys Group, and today Gamesys Group uses the VIRGIN GAMES trademark under license from the Complainant. The Virgin Games business offers online gaming services and gambling services via its website and via a mobile application.

The disputed domain name was registered on August 11, 2025. It resolves to a website which purportedly offers online gaming, betting, and/or casino services under the title “Virgin77 Casino”.

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 disputed domain name is confusingly similar to the trademark in which the Complainant has prior rights; the Respondent has no rights or legitimate interests in respect of the disputed domain name; and the disputed domain name was registered and is being used in bad faith.

B. Respondent

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

6. Discussion and Findings

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 VIRGIN trademark 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 "77", 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. In particular, the disputed domain name, which is confusingly similar to the Complainant's well-known VIRGIN trademark, resolves to a website purportedly offering competing online gaming and betting services under the title "Virgin77 Casino". Accordingly, the Panel finds that the disputed domain name carries a risk of implied affiliation as it suggests sponsorship or endorsement by the Complainant or has the potential to mislead Internet users to believe that it is operated by or associated with the Complainant. By using the disputed domain name to purportedly offer competing online gaming and betting services, the Respondent acted with the intention to take unfair advantage of the Complainant's trademark for its commercial gain.

By failing to submit a Response, 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.

Based on the available record, 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.

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.

In the present case, the Panel considers, on the one hand, the Complainant's prior trademark rights and the distinctiveness of the VIRGIN trademark, and on the other hand, the date of registration, the composition, and the use of the disputed domain name described above. In the Panel's view, the Respondent more likely than not was aware of the Complainant's trademark rights and its business at the time of registering the disputed domain name, and it registered the disputed domain name with the intention to target the VIRGIN trademark. Considering the use of the disputed domain name, the Panel finds that 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 trademark and business. Under these circumstances and based on the available record, the Panel finds that the disputed domain name was registered and is being used in bad faith.

The Panel also notes the Respondent's default, which further supports the Panel's determinations above.

Accordingly, 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 <virgin77casino.com> be transferred to the Complainant.

/Mehmet Polat Kalafatoglu/

Mehmet Polat Kalafatoglu

Sole Panelist

Date: July 14, 2026