ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Iqbal Khan v. Express Now, Venture Marketplace
Case No. D2026-2588

1. The Parties

The Complainant is Iqbal Khan, India, self-represented.

The Respondent is Express Now, Venture Marketplace, India.

2. The Domain Name and Registrar

The disputed domain name <dpbosse.net> is registered with NameCheap, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 13, 2026. On June 15, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 15, 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 service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 16, 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 amended Complaint on June 16, 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 June 17, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 7, 2026. The Center received email communications on June 17, 2026, one from the website contact email address and one from the registrar-disclosed Respondent.

The Center appointed Harini Narayanswamy as the sole panelist in this matter on July 15, 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 Mr. Iqbal Khan who owns registered trademarks for the DPBOSS word mark and DPBOSS device mark. Details of the trademark registrations are:

Indian trademark for the DPBOSS word mark is registered under trademark number 5893785, application dated April 15, 2023, in class 42 for services of design and development of computer software, computer hard-wear among others and related services.

Indian trademark for the DPBOSS device mark is registered under trademark number 6429182, application dated May 13, 2024, in class 45 for services of security guard services for buildings and various other services including consulting services in numerous areas.

The Respondent registered the disputed domain name on November 29, 2024. At the time of filing the Complaint, the disputed domain name hosted a website associated with “Satta Matka” gambling, which is a number based betting results chart and updates for the “Satta Matka” gambling game.

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.

The Complainant contends that the Respondent has used the Complainant’s trademark as the dominant part of the disputed domain name and it creates confusing similarity between the disputed domain name and the Complainant’s mark.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, is not commonly known by the disputed domain name and is operating an online gambling website through the disputed domain name. The Complainant states that under Indian law, gambling is prohibited under Section 5 of the Promotion and Regulation of Online Gaming Act, 2025, and argues that such illegal use of the disputed domain name does not confer rights or legitimate interests. The Complainant further states that there is no business connection or relationship with the Respondent, and that the Complainant has not consented to the Respondent’s use of its word or device mark in any manner.

The Complainant contends that the Respondent has registered and is using the disputed domain name in bad faith to take unfair advantage of the goodwill and reputation associated with its mark. The Complainant submits that the Respondent’s use of the disputed domain name for allegedly illegal activities such as gambling tarnishes its reputation. The Complainant further contends that the Respondent must have been aware of the Complainant’s mark, as the device mark has been used on the Respondent’s website.

The Complainant contends that its mark is unique and distinctive and that the disputed domain name is likely to mislead Internet users. The Complainant requests the transfer of the disputed domain name.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions but the Center received two communications on June 17, 2026, one from the website contact email address and one from the registrar-disclosed Respondent. As both senders are connected to the person or entity controlling the disputed domain name the Panel will be referring to both communications as coming from the Respondent

In the first email communication the Respondent stated that when he registered the disputed domain name, he was unaware that it would potentially infringe the rights of another party, as there were numerous similar domain names being operated online. The Respondent further stated that he had decided to discontinue its use and is taking immediate steps to permanently disable the website and remove its content including from search engine indexing, no later than July 7, 2026. The Respondent further stated that he would "cooperate in good faith to resolve the matter promptly".

In a Second email communication, the Respondent stated that he wished to resolve the matter amicably, adding that he was in the process of disabling the current website content and transitioning users and technical services away from the disputed domain name. He requested a "short administrative transition period before completing any agreed transfer process". The Respondent reiterated that he was willing to cooperate and would appreciate guidance regarding settlement or suspension procedures while the transition steps were being completed.

The Center sent a communication to the parties on June 17, 2026 stating that if the parties wished to pursue settlement options, the Complainant should submit a request for suspension by June 24, 2026. The Complainant sent a communication to the Center dated June 19, 2026. In response to the Respondent's offer to settle the dispute, the Complainant requested the transfer of the disputed domain name and an undertaking from the Respondent not to register, adopt, use or maintain any domain name incorporating the Complainant's mark. There were no further communications regarding the proposed settlement between the parties.

6. Discussion and Findings

Three elements that need to be established by the Complainant, in order to obtain the remedy of transfer of the disputed domain name under paragraph 4 (a) of the Policy are:

(i) The disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
(ii) The Respondent lacks rights or legitimate interests in the disputed domain name; and
(iii) The disputed domain name was registered and is being used in bad faith by the Respondent.

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 adduced evidence of its trademark registrations for the DPBOSS mark.
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 disputed domain name consists of the Complainant's DPBOSS mark along with the addition of the letter 'e'. The Panel finds that this addition 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 that the mark is recognizable in the disputed domain name and that the disputed domain name is confusingly similar to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7. The first element of the Policy has been established by the Complainant.

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.

The Complainant has asserted that the Respondent has no rights or legitimate interest in the disputed domain name, arguing that: (i) The Respondent is not commonly known by the disputed domain name; (ii) The Respondent is operating an online gambling website through the disputed domain name which is prohibited under Section 5 of the Promotion and Regulation of Online Gaming Act, 2025 and arguing that such illegal use of the disputed domain name does not confer rights; (iii) The Complainant has no business connection or relationship with the Respondent; and (iv) The Complainant has not consented to the use of its mark in any manner by the Respondent.

Having reviewed the available record, the Panel finds that the Complainant has made the required prima facie showing 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 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.

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.

The Panel finds based on the material on record, that the contentions raised by the Complainant under the Policy are undisputed by the Respondent. The Panel notes from the evidence on record that the Respondent has not only used the Complainant's mark in the disputed domain name but has also used the Complainant's DPBOSS device mark (but adding the letter "e" and ".net" after DPBOSS)on the Respondent's website. This implies knowledge of the Complainant's mark and it's targeting the Complainant's mark, by the Respondent.

The Panel finds, based on the evidence, that the Respondent's use of the disputed domain name is to intentionally attract for commercial gain, Internet users to the Respondent's website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation of endorsement of the Respondent's website. This constitutes bad faith registration and use as described under paragraph 4b(iv) of the Policy.

The Panel finds that the third element of the Policy has been established.

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 <dpbosse.net> be transferred to the Complainant.

/Harini Narayanswamy/
Harini Narayanswamy
Sole Panelist
Date: July 29, 2026