

ADMINISTRATIVE PANEL DECISION

Evolution AB v. Salaba arumjoh , Danu Pongpai
Case No. D2026-2843

1. The Parties

Complainant is Evolution AB, Sweden, represented by Zacco Sweden AB, Sweden.

Respondents are Salaba arumjoh, Thailand, and Danu Pongpai, Thailand.

2. The Domain Names and Registrars

The disputed domain name <evolutiongamingbet.org> ("Domain Name 1") is registered with NameCheap, Inc. (the "Registrar"). The disputed domain name <evolutiongaming.ink> ("Domain Name 2") is registered with Spaceship, Inc. (the "Registrar"). (Domain Names 1 and 2 will hereinafter be referred to collectively as the "Domain Names".)

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 30, 2026. On June 30, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Names. On July 1, 2026, and July 3, 2026, the Registrars transmitted by email to the Center its verification response disclosing registrant and contact information for the Domain Names 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 Complainant on July 3, 2026, with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrars, requesting Complainant to either file separate complaint(s) for the Domain Names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. Complainant filed an amendment to the Complaint on July 3, 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 Respondent of the Complaint, and the proceedings commenced on July 6, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 26, 2026. Respondent did not submit any response. Accordingly, the Center notified Respondent's default on August 3, 2026.

The Center appointed Kimberley Chen Nobles as the sole panelist in this matter on August 12, 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

Founded in 2006, Complainant is a Swedish company group that develops, produces, markets and licenses casino solutions to online operators and land-based casinos world-wide, with operations in over 15 countries. Complainant has over 800 customers with over 22,000 employees.

Complainant owns several registered trademarks with the EVOLUTION mark, including EVOLUTION GAMING, for example:

- European Union registered trademark number 009320854 for the EVOLUTION GAMING word and figurative mark, registered on August 9, 2011;
- European Union registered trademark number 018315634 for the EVOLUTION GAMING word mark, registered on October 14, 2022; and
- International registered trademark number 1670152 for the EVOLUTION word and figurative mark, registered on December 3, 2021.

Complainant also owns several domain names incorporating its EVOLUTION and EVOLUTION GAMING trademarks, such as <evolution.com> and <evolutiongaming.com>.

The Domain Names 1 and 2 were registered on September 23, 2025 and January 13, 2026 respectively. They each resolve to a webpage with click through links ("Pay Per Click" or "PPC") redirecting Internet users to competing third-party gaming services in Complainant's field of business, while displaying Complainant's trademarks throughout the websites.

5. Parties' Contentions

A. Complainant

Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the Domain Names.

Notably, Complainant contends that (i) the Domain Names are confusingly similar and/or identical to Complainant's trademarks; (ii) Respondents have no rights or legitimate interests in the Domain Names; and (iii) Respondents registered and are using the Domain Names in bad faith.

In particular, Complainant contends that it has trademark registrations and rights for EVOLUTION and EVOLUTION GAMING and that Respondents registered and are using the Domain Names with the intention to confuse Internet users looking for bona fide and well-known EVOLUTION and EVOLUTION GAMING services, as part of a fraudulent scheme.

Complainant notes that it has no affiliation with Respondents, nor authorized Respondents to register or use domain names which includes Complainant's trademark, and that Respondents have no rights or legitimate interests in the registration and use of the Domain Names. Rather, Complainant contends that Respondents have acted in bad faith in acquiring and setting up the Domain Names, when Respondents clearly knew of

Complainant's rights. Specifically, Complainant argues that Respondents set up the Domain Names which each resolve to a webpage with click through links ("Pay Per Click" or "PPC") redirecting Internet users to competing third-party gaming services in the same field of business as Complainant, while using Complainant's trademarks throughout the websites.

B. Respondents

Respondents did not reply to Complainant's contentions.

6. Discussion and Findings

6.1 Consolidation: Multiple Respondents

The amended Complaint was filed in relation to nominally different domain name registrants. Complainant alleges that the domain name registrants are the same entity or mere alter egos of each other, or under common control, for the following reasons:

The Registrant Information does not correspond to the Domain Names in any way, indicating a lack of legitimate interest in part of the Registrants. Furthermore, the Registrant Information appear to be false, incorrect, and/or misleading, with the addresses provided being nonexistent or incomplete.

Both Domain Names were registered within a relatively short period of time, based on Complainant's EVOLUTION and EVOLUTION GAMING marks; both host nearly identical websites, use Cloudflare name servers, both are registered using general Gmail email addresses that do not contain any personal names, and both Registrants are located in Thailand.

Complainant further contends that the combination of the above factors justifies the filing of a single Complaint for the two Domain Names, and requests the consolidation of the disputes against the multiple Domain Name registrants pursuant to paragraph 10(e) of the Rules.

The Domain Name registrants did not comment on Complainant's request.

Paragraph 3(c) of the Rules states that a complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

In addressing Complainant's request, the Panel will consider whether (i) the Domain Names or corresponding websites are subject to common control; and (ii) the consolidation would be fair and equitable to all Parties. See WIPO Overview of WIPO Panel Views on Select UDRP Questions (["WIPO Overview 3.1"](#)), section 4.11.2.

Panels have considered a range of factors, typically present in some combination, as useful to determining whether such consolidation is appropriate, such as similarities in or relevant aspects of (i) the registrants' identity(ies) including pseudonyms, (ii) the registrants' contact information including email address(es), postal address(es), or phone number(s), including any pattern of irregularities, (iii) relevant IP addresses, name servers, or webhost(s), (iv) the content or layout of websites corresponding to the disputed domain names, (v) the nature of the marks at issue (e.g., where a registrant targets a specific sector), (vi) any naming patterns in the disputed domain names (e.g., <mark-country> or <mark-goods>), (vii) the relevant language/scripts of the disputed domain names particularly where they are the same as the mark(s) at issue, (viii) any changes by the respondent relating to any of the above items following communications regarding the disputed domain name(s), (ix) any evidence of respondent affiliation with respect to the ability to control the disputed domain name(s), (x) any (prior) pattern of similar respondent behavior, or (xi) other arguments made by the complainant and/or disclosures by the respondent(s).

As regards common control, the Panel notes the dates of registration of both Domain Names, the highly similar composition of the Domain Names, the nearly identical websites hosted on both Domain Names, and the similarities in providing seemingly false contact information for Respondents.

As regards fairness and equity, the Panel sees no reason why consolidation of the disputes would be unfair or inequitable to any Party.

Accordingly, the Panel decides to consolidate the disputes regarding the nominally different Domain Name registrants (referred to below as “Respondent”) in a single proceeding.

6.2 Substantive Issues – Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed Complainant must satisfy the Panel that:

- (i) the Domain Names are identical or confusingly similar to a trademark or service mark in which Complainant has rights;
- (ii) Respondent has no rights or legitimate interests in respect of the Domain Names; and
- (iii) the Domain Names were registered and are being used in bad faith.

Section 4.3 of the [WIPO Overview 3.1](#) states that failure to respond to the complainant’s contentions would not by itself mean that the complainant is deemed to have prevailed; a respondent’s default is not necessarily an admission that the complainant’s claims are true.

Thus, although in this case Respondent has failed to respond to the Complaint, the burden remains with Complainant to establish the three elements of paragraph 4(a) of the Policy by a preponderance of the evidence.

A. Identical or Confusingly Similar

Complainant has provided evidence of its rights in the EVOLUTION and EVOLUTION GAMING trademarks, as noted above. Complainant has therefore proven that it has the requisite rights in the EVOLUTION and EVOLUTION GAMING trademarks.

With Complainant’s rights in the EVOLUTION and EVOLUTION GAMING trademarks established, the remaining question under the first element of the Policy is whether the Domain Names, typically disregarding the Top-Level Domain (“TLD”) in which they were registered (in this case, “.org” and “.ink”), are identical or confusingly similar to Complainant’s trademarks. See, e.g., *B & H Foto & Electronics Corp. v. Domains by Proxy, Inc. / Joseph Gross*, WIPO Case No. [D2010-0842](#).

Here, Domain Name 1 is confusingly similar to Complainant’s EVOLUTION and/or EVOLUTION GAMING trademarks. The EVOLUTION and/or EVOLUTION GAMING trademarks are recognizable in Domain Name 1. In particular, the EVOLUTION trademark is recognizable on its own, separate and apart from the EVOLUTION GAMING trademarks, in Domain Name 1.

With regards to Complainant’s EVOLUTION GAMING trademarks, the absence of a space between “evolution” and “gaming” in Domain Name 1, and the addition of the term “bet” after the trademark EVOLUTIONGAMING in Domain Name 1 does not prevent a finding of confusing similarity between Domain Name 1 and the EVOLUTION GAMING trademarks. See section 1.8 of the [WIPO Overview 3.1](#).

Domain Name 2 is identical to Complainant’s EVOLUTION GAMING trademark.

Thus, the Panel finds that Complainant has satisfied the first element of the Policy.

B. Rights or Legitimate Interests

Under paragraph 4(a)(ii) of the Policy, a complainant must make a prima facie showing that a respondent possesses no rights or legitimate interests in a disputed domain name. See, e.g., *Malayan Banking Berhad v. Beauty, Success & Truth International*, WIPO Case No. [D2008-1393](#). Once a complainant makes such a prima facie showing, the burden of production shifts to the respondent, though the burden of proof always remains on the complainant. If the respondent fails to come forward with relevant evidence showing rights or legitimate interests, the complainant will have sustained its burden under the second element of the UDRP.

From the record in this case, it is evident that Respondent was, and is, aware of Complainant and its EVOLUTION GAMING trademarks and does not have any rights or legitimate interests in the Domain Names. Complainant has confirmed that Respondent is not affiliated with Complainant, or otherwise authorized or licensed to use the EVOLUTION GAMING trademarks or to seek registration of any domain name incorporating these trademarks. Respondent is also not known to be associated with the EVOLUTION GAMING trademarks and there is no evidence showing that Respondent has been commonly known by the Domain Names.

In addition, Respondent has not used the Domain Names in connection with a bona fide offering of goods or services or a legitimate noncommercial or fair use. Rather, the record shows that Respondent had set up the Domain Names, each of which resolves to a commercial website with click through links that redirect Internet users to competing third-party gaming services, in the same field of business as Complainant. Each website also displays Complainant's trademarks throughout, with the footer of Domain Name 1 featuring a copyright "© EVOLUTIONGAMING".

Such use by Respondent does not constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use and cannot under the circumstances confer on Respondent any rights or legitimate interests in the Domain Names.

In addition, UDRP panels have consistently held that use of a domain name for illegal activity - such as passing off - can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.1](#), section 2.13.1.

Moreover, the nature of the Domain Names, incorporating the entirety of Complainant's trademark EVOLUTION GAMING, particularly in conjunction with the PPC links noted above, indicates Respondent's intent to capitalize on Complainant's trademarks, and thus, does not support a finding of rights or legitimate interests. Furthermore, Respondent used a proxy service or selected a registrar with default proxy services to mask its identity.

Accordingly, Complainant has provided evidence supporting its prima facie showing that Respondent lacks any rights or legitimate interests in the Domain Names. Respondent has failed to produce countervailing evidence of any rights or legitimate interests in the Domain Names. Thus, the Panel concludes that Respondent does not have any rights or legitimate interests in the Domain Names and Complainant has met its burden under paragraph 4(a)(ii) of the Policy.

Accordingly, the Panel finds that Complainant has satisfied the second element of the Policy.

C. Registered and Used in Bad Faith

The Panel finds that Respondent's actions indicate that Respondent registered and is using the Domain Names in bad faith.

Paragraph 4(b) of the Policy provides a non-exhaustive list of circumstances indicating bad faith registration and use on the part of a respondent, namely:

“(i) circumstances indicating that you have registered or you have acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or service mark or to a competitor of that complainant, for valuable consideration in excess of your documented out-of-pocket costs directly related to the domain name; or

(ii) you have registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that you have engaged in a pattern of such conduct; or

(iii) you have registered the domain name primarily for the purpose of disrupting the business of a competitor; or

(iv) by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your website or other online location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affiliation, or endorsement of your website or location or of a product or service on your website or location.”

The Panel finds that Complainant has provided ample evidence to show that registration and use of the EVOLUTION GAMING trademarks long predate the registration of the Domain Names. Complainant is also well established and known; indeed, the record shows that Complainant’s EVOLUTION GAMING trademark and related services are widely known and recognized for purposes of the Policy. Therefore, on the balance of probabilities, and also noting the use analysis below, Respondent was clearly aware of the EVOLUTION GAMING trademark when it registered the Domain Names.

The Panel therefore finds that Respondent’s awareness of Complainant’s trademark rights at the time of registration suggests bad faith. See *Red Bull GmbH v. Credit du Léman SA, Jean-Denis Deletraz*, WIPO Case No. [D2011-2209](#); *Nintendo of America Inc v. Marco Beijen, Beijen Consulting, Pokemon Fan Clubs Org., and Pokemon Fans Unite*, WIPO Case No. [D2001-1070](#); and *BellSouth Intellectual Property Corporation v. Serena, Axel*, WIPO Case No. [D2006-0007](#).

Moreover, the Domain Names’ inclusion of Complainant’s EVOLUTION GAMING trademarks in their entirety, addition of the term “bet” as discussed above with regards to Domain Name 1, and the use to which the Domain Names have been put, further suggests Respondent’s actual knowledge of Complainant’s rights in the EVOLUTION GAMING trademarks at the time of registration of the Domain Names, and its effort to opportunistically capitalize on Complainant’s trademarks through the registration and use of the Domain Names.

UDRP panels have also consistently held that a respondent’s use of a domain name to trade off goodwill in a complainant’s well-known trademark and passing off, as here, constitutes bad faith. Moreover, such use of the Domain Names may potentially result in tarnishing Complainant’s reputation and goodwill.

Finally, the Panel also notes the failure of Respondent to submit a response. In the present circumstances, considering the reputation of the EVOLUTION GAMING trademarks, and the factors discussed above, the Panel finds that Respondent registered and is using the Domain Names in bad faith.

Therefore, the Panel finds that Complainant succeeds under the third element of paragraph 4(a) 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 Domain Names <evolutiongamingbet.org> and <evolutiongaming.ink> be transferred to Complainant.

/Kimberley Chen Nobles/

Kimberley Chen Nobles

Sole Panelist

Date: August 17, 2016