

ADMINISTRATIVE PANEL DECISION

Evolution AB v. Pornpinit Suriyapongrungsee, bluePi
Case No. D2026-2844

1. The Parties

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

The Respondent is Pornpinit Suriyapongrungsee, bluePi, Thailand.

2. The Domain Name and Registrar

The disputed domain name <evolution-official.com> is registered with GoDaddy.com, LLC (the “Registrar”).

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 disputed domain name. On July 2, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 6, 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 July 7, 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 July 9, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 29, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 4, 2026.

The Center appointed Rebecca Slater as the sole panelist in this matter on August 7, 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 Swedish company founded in 2006. The Complainant develops, produces, markets, and licenses fully integrated business-to-business casino solutions to online operators and land-based casinos worldwide. It has operations in over 15 countries and is listed on the Stockholm Stock Exchange. The Complainant has more than 800 customers operating its services and employs more than 22,000 people across Europe and North America.

The Complainant's wholly owned subsidiary, Evolution Malta Limited, is the owner of European Union Trade Mark Registration No. 019237146 for EVOLUTION word mark (registered January 23, 2026), European Union Trade Mark Registration No. 018315634 for EVOLUTION figurative mark (registered October 14, 2022), International Trade Mark Registration No. 1670152 for EVOLUTION figurative mark (registered December 3, 2021) and United States of America ("United States") Registration No. 8240599 for EVOLUTION word mark (registered May 5, 2026) (together, the "Trade Mark").

The Complainant's wholly owned subsidiary is also the owner of European Union Trade Mark Registration No. 016691503 for EVOLUTION GAMING word mark (registered December 18, 2017), European Union Trade Mark Registration No. 009320854 for EVOLUTION GAMING figurative mark (registered August 9, 2011), and United States Registration No. 5833804 for EVOLUTION GAMING word mark (registered August 13, 2019).

The Complainant also owns domain names incorporating its Trade Marks, including <evolution.com> and <evolutiongaming.com>.

The Respondent did not file a Response, and, consequently, little information is known about the Respondent.

The disputed domain name was registered on February 24, 2026. The disputed domain name resolves to a website that uses the Trade Mark, and displays the copyright notice "© Evolution Gaming". The website at the disputed domain name appears to be for an online casino and contains links that redirect Internet users to third party services that are competitive with the services offered by the Complainant.

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 Trade Mark and the EVOLUTION GAMING trade marks. The disputed domain name consists of the term "evolution-official", which is confusingly similar to the Trade Mark. The addition of the term "official" does not prevent a finding of confusing similarity.
- The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent is not commonly known by the disputed domain name and has not been authorized, licensed or otherwise permitted by the Complainant to use the Trade Mark or the EVOLUTION GAMING trade marks. The disputed domain name is used to host a commercial website that displays the Complainant's trade

marks, displays the copyright notice “© Evolution Gaming”, and contains links redirecting Internet users to competing third party services unrelated to the Complainant. This does not constitute a bona fide offering of goods or services. The website contains no disclaimer disclosing the Respondent’s relationship with the Complainant and no genuine information about the Respondent. The Respondent is actively attempting to create the false impression that the disputed domain name and associated website are somehow connected to, sponsored, or operated by the Complainant.

- The disputed domain was registered and has been used in bad faith. The disputed domain name was registered several years after the Complainant first obtained registered rights for the Trade Mark, and over a decade after the registration of the EVOLUTION GAMING trade marks. Given the widespread reputation of the Complainant’s trade marks and the Respondent’s use of the disputed domain name, the Respondent was plainly aware of the Complainant at the time of registration. 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 trade marks as to the source, sponsorship, affiliation or endorsement of the Respondent’s website.

B. Respondent

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

6. Discussion and Findings

To succeed, the Complainant must demonstrate that all the elements enumerated in paragraph 4(a) of the Policy have been satisfied, namely:

- the disputed domain name is identical or confusingly similar to a trade mark or service mark in which the Complainant has rights;
- the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- the disputed domain name has been registered and is being used in bad faith.

The onus of proving these elements is on the Complainant.

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 trade mark 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 trade mark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the Trade Mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the Trade Mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms (here, “official”) 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.

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.

The Panel notes that the composition of the disputed domain name carries a high risk of implied affiliation. [WIPO Overview 3.1](#), section 2.5.1. The Complainant has not authorized the Respondent to use the Trade Mark and there is no evidence that the Respondent has ever been commonly known by the disputed domain name.

Panels have held that the use of a domain name for illegitimate activity (here, claimed 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 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.

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 it unlikely that the disputed domain name was registered without knowledge of the Complainant and the Trade Mark, given the reputation of the Complainant and the composition of the disputed domain name. The Respondent’s goal in registering and using the disputed domain name appears to have been to attract Internet users by taking unfair advantage of the Trade Mark and the Complainant’s reputation for potential gain. This finding is reinforced by the Respondent’s use of the disputed domain name to host a website for an online casino, which is very similar to the Complainant’s offering. This amounts to “opportunistic bad faith” under the Policy.

Panels have held that the use of a domain name for illegitimate activity (here, claimed passing off) constitutes bad faith. [WIPO Overview 3.1](#), section 3.4.

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 <evolution-official.com> be transferred to the Complainant.

/Rebecca Slater/

Rebecca Slater

Sole Panelist

Date: August 15, 2026