

ADMINISTRATIVE PANEL DECISION

Novomatic AG v. Andreas Becker

Case No. D2026-2977

1. The Parties

The Complainant is Novomatic AG, Austria, represented by Salomonowitz Attorneys-at-Law, Austria.

The Respondent is Andreas Becker, Germany.

2. The Domain Name and Registrar

The disputed domain name <playbookofra.top> is registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 7, 2026. On July 7, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 8, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 13, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 2, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 25, 2026.

The Center appointed Fabrice Bircker as the sole panelist in this matter on August 31, 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, Novomatic AG, is an Austrian company that notably owns the following trademark registrations

- BOOK OF RA, European Union trademark registration No. 004451431, registered on May 24, 2006, regularly renewed since then, and designating products of classes 9, namely “computer software for casinos and amusement arcades, in particular for slot machines, gaming machines or video lottery games”,



, European Union trademark registration No. 012456828, registered on April 23, 2014, regularly renewed since then, and designating products of classes 9, namely “software for casino and amusement arcade games, for gaming machines, slot machines, video lottery gaming machines, with or without prize payouts and/or for gaming via telecommunications networks and/or the Internet, with or without prize payouts, for gaming with or without prize payouts via the Internet or via telecommunications networks, or for gaming with or without prize payouts for use in telecommunications apparatus”.

Very little is known about the Respondent, except that it is reportedly located in Germany, based on the information disclosed by the Registrar.

The disputed domain name, <playbookofra.top> was registered June 29, 2026.

It resolves to an active website:

- entitled BOOK OF RA,
- prominently reproducing the Complainant’s semi-figurative BOOK OF RA trademark,
- featuring an online slot 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.

Notably, the Complainant contends that the disputed domain name is confusingly similar to its BOOK OF RA trademark, because it reproduces the latter, and the added elements do not prevent it from being recognizable.

Besides, the Complainant argues that the Respondent has no rights or legitimate interests in respect with the disputed domain name because:

- “The disputed domain name is used by the Respondent in violation of the law and in violation of the Complainant’s trademark rights.
- The Complainant’s rights (...) date back to 2005 (...). The Respondent has no relationship with or permission from the Complainant for the use of the trademarks BOOK OF RA. The Respondent has neither been commonly known by the disputed domain name or the sign BOOK OF RA nor has acquired any respective trademark rights. The Respondent uses the infringing domain to offer infringing slot games and providing illegal gambling.”

Then an undated screenshot of the host page to which the disputed domain name resolves is copied / pasted.

Finally, the Complainant contends that the disputed domain name has been registered and is being used in bad faith, for the following reasons:

- “The disputed domain name was registered and are [sic] being used in bad faith. The Respondent registered the disputed domain name long after the Complainant has registered its respective trademarks and long after the Complainant has installed its website, which then was copied by the Respondent. The Complainant’s Book-of-Ra-games [then the Complaint included a URL that cannot be accessed by the Panel] and BOOK OF RA trademarks are so well-known, that the Respondent without any doubt was aware of, when registering the disputed domain names. [sic]
- The Respondent, when registering the disputed domain name had the duty to check the trademark registries. The Respondent’s website is only used to offer illegal copies of the Complainant’s famous slot games and to provide illegal gambling. The website is therefore designed to mislead the Complainant’s customers.
- The Respondent registered the disputed domain name in bad faith with full knowledge of the Complainant and its trademarks because the Respondent used the disputed domain name to lead the public to illegal (and IP infringing) slot games of the Complainant. The disputed domain name incorporates the Complainant’s trademarks. The Respondent uses the disputed domain name to attract, for commercial gain, Internet users to the Respondent’s website, by creating a likelihood of confusion with the Complainant’s trademarks as to the source, sponsorship, affiliation, or endorsement of the Respondent’s web site or products on the Respondent’s websites [sic]. The disputed domain name is used to offer counterfeited versions of the Complainant’s goods and services. The Respondent is preventing the Complainant from reflecting its trademark in a corresponding domain name.”

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.

In the present case, the Panel notes that, as with the other elements required under the Policy for a complaint to succeed, the Complaint is almost entirely devoid of supporting evidence. The only supporting document provided is a TMview trademark database search for the designation BOOK OF RA, dated April 1, 2025, and displayed in German.

However, and although it is not for the Panel to substitute itself for the Parties, it is well established that the general powers of a panel, as articulated inter alia in paragraphs 10 and 12 of the UDRP Rules, allow it to “undertake limited factual research into matters of public record if it would consider such information useful to assessing the case merits and reaching a decision, in particular to affirm or corroborate a party’s contention”.

“This may include visiting the website linked to the disputed domain name in order to obtain more information about the respondent or its use of the domain name, consulting historical resources such as the Internet Archive (www.archive.org) in order to obtain an indication of how a domain name may have been used in the relevant past, reviewing dictionaries or encyclopedias (e.g., Wikipedia), or accessing trademark registration databases.” [WIPO Overview 3.1](#), section 4.8.

Further to its verification, the Panel finds that the Complainant has rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The Panel finds the BOOK OF RA mark is recognizable 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.

Indeed, although the addition of other terms (here, “play”) may bear on assessment of the second and third elements, the Panel finds the addition of such 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.

Indeed, the Complainant has not given its consent to the Respondent to use its BOOK OF RA trademark in domain name registrations or in any other manner.

Furthermore, there is nothing in the record of the case to indicate that the Respondent may be commonly known by the disputed domain name.

Finally, the disputed domain name resolves to a website reproducing the Complainant’s trademarks, including its semi-figurative trademark, and pretending to offer similar products. In this respect, panels have held that the use of a domain name for illegal activity (such as sale of counterfeit goods, phishing/identity theft, 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.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

First of all, this Panel notes that though the Complainant’s arguments (literally reproduced in section 5.A above) appear grounded on legal reasonings, most of its arguments are deprived of any relevant supporting evidence.

In particular, the Complainant contends that:

- the Respondent registered the disputed domain name long after the Complainant (...) has installed its website; however the Complaint is devoid of any information in that regard,
- its website was copied by the Respondent, but no evidence was submitted to support this contention and the screenshot of the page to which the disputed domain name resolves that has been copied / pasted in the Complaint not dated,
- its Book-of-Ra-games would be “well-known”, yet it did not provide adequate documentation in this respect – and assuming the two URL links mentioned in the Complaint would direct to websites intended to demonstrate the well-known feature of the BOOK OF RA trademark, they appear not accessible to this Panel.

It is accepted that “complaints alleging the types of conduct described in UDRP paragraph 4(b) should be supported by arguments and available evidence such as dated screenshots of the website to which the disputed domain name resolves or correspondence between the parties. Even in cases of respondent default, panels have held that wholly unsupported conclusory allegations may not be sufficient to support a complainant’s case”. [WIPO Overview 3.1](#), section 3.1.

This being said, “the applicable standard of proof in UDRP cases is the “balance of probabilities” or “preponderance of the evidence”; some panels have also expressed this as an “on balance” standard. Under this standard, a party should demonstrate to a panel’s satisfaction that it is more likely than not that a claimed fact is true. While conclusory statements unsupported by evidence will normally be insufficient to prove a party’s case, panels have been prepared to draw certain inferences in light of the particular facts and circumstances of the case e.g., where a particular conclusion is prima facie obvious, where an explanation by the respondent is called for but is not forthcoming, or where no other plausible conclusion is apparent”. [WIPO Overview 3.1](#), section 4.2.

Furthermore, 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 this context, the Panel notes that the disputed domain name reproduces the Complainant’s trademark and that the added element “play” refers to the field of gambling in which the Complainant seems to operate.

Besides, the BOOK OF RA designation appears intrinsically distinctive in the field of gaming and gambling.

Furthermore, after having visited the website under the disputed domain name, the Panel finds that it features a virtual slot machine and prominently reproduces the Complainant’s semi-figurative trademark.

It necessarily results from these elements that the Respondent could reasonably not have been unaware of the Complainant’s trademark when registering the disputed domain name.

Besides, the website under the disputed domain name appears to impersonate the Complainant or to suggest sponsorship or endorsement by the latter, and therefore to misleadingly divert Internet users.

Finally, this Panel notes that the Respondent, by remaining silent has not contested any of the Complainant’s arguments.

The Panel finds that the third element of the Policy is 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 <playbookofra.top> be transferred to the Complainant.

/Fabrice Bircker/

Fabrice Bircker

Sole Panelist

Date: September 11, 2026