ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Novomatic AG v. Stanislav Novak
Case No. D2026-2978

1. The Parties

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

The Respondent is Stanislav Novak, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <sizzlinghot.life> is registered with Dynadot 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 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 5, 2026.

The Center appointed Alfred Meijboom as the sole panelist in this matter on August 21, 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 did not provide any information about itself, other than that it owns several trademarks for SIZZLING HOT in connection with software for games of chance and online playing games of chance, including:

- European Union Trade Mark SIZZLING HOT with registration number 005179387 of December 7, 2007, for goods in class 9; and

- International registration SIZZLING HOT with registration number 1256302 of December 7, 2007, for goods in class 9, designating, inter alia, the Russian Federation and Ukraine.

The disputed domain name was registered on June 30, 2026 and currently resolves to a Czech-language website providing information about the impact of video games. The website includes, among other things, a text block with the following content (translated from Czech):

About the App
Age Rating 18+
Version 5.6.1
Updated December 14, 2022
Installs 19,464,170+

The website also has a download button and a button to watch a video demo, but both buttons are currently inactive.

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 identical to the Complainant's SIZZLING HOT trademark because it contains the mark in its entirety.

The Complainant alleges that the Respondent has no rights or legitimate interests in respect of the disputed domain name because it has no relationship with the Respondent, the Complainant has not permitted the Respondent to use the SIZZLING HOT trademark, the Respondent has not been commonly known by the disputed domain name and has not obtained trademark rights in connection to the disputed domain name. According to the Complainant, the Respondent uses the disputed domain name to offer "infringing slot games and to provide illegal gambling" under the SIZZLING HOT trademark.

The Complainant contends that the Respondent registered the disputed domain name in bad faith as the registration occurred long after the Complainant had registered its SIZZLING HOT trademarks and long after the Complainant had launched its website, which then was copied by the Respondent. The Complainant also alleges that the SIZZLING HOT trademarks are so well-known that the Respondent was undoubtedly aware of the Complainant's trademarks when it registered the disputed domain name.

The Complainant further contends that the Respondent uses the disputed domain name, which incorporates the Complainant's trademark, for a website that illegally offers the Complainant's slot games. In doing this, the Complainant submits that the Respondent is using 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 website or products on the Respondent's website.

B. Respondent

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

6. Discussion and Findings

6.1 Procedural Issue – Location of the Respondent

The Panel notes that the Respondent's postal address is stated to be in Ukraine and that no communication has been received from the Respondent.

Since Ukraine is subject to an international conflict as at the date of this Decision that may impact case notification, it is appropriate for the Panel to consider, in accordance with its discretion under paragraph 10 of the Rules, whether the proceeding should continue. Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality, that each Party is given a fair opportunity to present its case, and that the administrative proceeding takes place with due expedition.

The Panel notes that the Center sent the Complaint to the Respondent by registered mail, which was not delivered for the reason "Recipient absent". The Panel also notes that the Center has used the Respondent's email address as registered with the Registrar for the purpose of notifying the Complaint. The email communication does not appear to have generated a delivery failure notification.

Further, the Respondent apparently registered the disputed domain name as recently as June 30, 2026 and hence would appear to be capable of controlling the disputed domain name and the related content. Also, for the reasons which are set out later in this decision, the Panel has no material doubt (albeit in the absence of a formal Response) that the Respondent registered and used the disputed domain name with the intention of unfairly targeting the Complainant's goodwill in its trademark.

Finally, the Panel notes that the Complainant has selected as the mutual jurisdiction the courts at the location of the principal office of the Registrar, such courts not being subject to an international conflict.

Therefore, the Panel finds that proceeding with the present decision does not prevent the Respondent from asserting its rights under paragraph 4(k) of the Policy to submit this dispute to the courts at the applicable mutual jurisdiction.

In view of the above, the Panel considers it appropriate to proceed to a decision.

6.2. Substantive Elements of the Policy

Under the Policy, the Complainant must prove that:

(i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and

(iii) the disputed domain name has been registered and is being used in bad faith.

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 mark, without the space between "SIZZLING" and "HOT", which cannot be reproduced as such in a domain name, is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

The Panel finds that 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.

In this regard, the Panel notes that, although the Complainant alleges that the website to which the disputed domain name resolves offers, without authorization, the Complainant's slot games, the Complainant has not provided any evidence thereof other than a poorly legible screenshot from which the Panel is left to infer that it depicts the Respondent's website. The Panel observes that the Respondent's website as viewed by the Panel, does not currently offer unauthorized games of the Complainant. The Panel nevertheless considers the Complainant's assertion that the disputed domain name offers illegal content (namely, the unauthorized, illegal copy of the Complainant's slot games) and that in a short time frame before the registration of the disputed domain name, the Respondent was the respondent in three other UDRP proceedings against the same Complainant also based on the Complainant's trademarks in connection with games of chance, in which all three panels found that the domain names were being used to offer online gambling services (*Novomatic AG v. Stanislav Novak*, WIPO Case No. D2026-0003, *Novomatic AG v. Stanislav Novak*, WIPO Case No. D2026-0755, and *Novomatic AG v. Stanislav Novak*, Case No. D2026-2254).

Noting the provided (albeit poorly legible) screenshot in the Complaint (that was signed and certified as accurate by legal counsel) and the fact that the Respondent previously targeted the Complainant by registering and using a domain name to offer online gambling services as those offered by the Complainant's trademarks, and since the Respondent has not refuted the Complainant's assertion that it has done so in this case as well by making unauthorized copies of the Complainant's slot games available for use under the disputed domain name, the Panel considers the Complainant's allegation to be credible, despite the lack of conclusive evidence.

Panels have held that the use of a domain name for illegal activity, in this case, passing off as the Complainant to provide an opportunity for games of chance based on unauthorized copies of the Complainant's slot games, can never confer rights or legitimate interests on a respondent. WIPO Overview

3.1, section 2.13.1.
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.

As explained above, shortly before the registration of the disputed domain name, the Respondent was a party in other UDRP cases against the same Complainant which also involved the Complainant's trademarks, including the Complainant's SIZZLING HOT trademark in *Novomatic AG v. Stanislav Novak*, WIPO Case No. D2026-0003. The Panel is therefore satisfied that, at the time of registration of the disputed domain name, the Respondent was aware of the Complainant and its SIZZLING HOT trademark, and that the disputed domain name was therefore registered in bad faith.

The Panel has already determined above that the Respondent's use of the disputed domain name to pass itself off as the Complainant to offer the use of unauthorized copies of the Complainant's slot games constitutes illegal activity. Panels have held that the use of a domain name for illegal activity also constitutes bad faith. WIPO Overview 3.1, section 3.4.

Moreover, the Panel finds that the Respondent has engaged in a pattern of abusive domain name registrations because it appeared as a respondent in the aforementioned other UDRP proceedings in which the Respondent consistently targeted the same Complainant as in this proceeding and its trademarks. This conduct of the Respondent further justifies the finding of bad faith. WIPO Overview 3.1, section 3.1.2.

The Panel finds that the Respondent's registration and use of the disputed domain name constitute bad faith under the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraph 4(i) of the Policy and paragraph 15 of the Rules, the Panel orders that the disputed domain name <sizzlinghot.life> be transferred to the Complainant.

/Alfred Meijboom/
Alfred Meijboom
Sole Panelist
Date: August 21, 2026