

ADMINISTRATIVE PANEL DECISION

Novomatic AG v. Vasily Kovalev

Case No. D2026-2979

1. The Parties

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

The Respondent is Vasily Kovalev, Estonia.

2. The Domain Name and Registrar

The disputed domain name <book-of-ra-social.live> 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 disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Dynadot Privacy Service, Dynadot Inc) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 8, 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 8, 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 10, 2026. In accordance with the Rules, paragraph 5, the due date for Response was July 30, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on August 5, 2026.

The Center appointed Áron László as the sole panelist in this matter on August 11, 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 an Austrian company active in the gaming and casino technology sector.

The Complainant is the owner of a portfolio of trademark registrations for BOOK OF RA, including, among others:

- European Union trademark BOOK OF RA reg. no. 004451431 registered on May 24, 2006;
- European Union trademark BOOK OF RA (figurative) reg. no. 012456828 registered on April 23, 2014;
- United States of America trademark BOOK OF RA reg. no. 4800800 registered on August 25, 2015.

The Complainant has filed a list with further trademarks registered across the world.

According to the record, the Complainant's rights in the BOOK OF RA trademark date back to at least 2005. The BOOK OF RA mark is used by the Complainant in connection with a well-known slot game offered, among other channels, through its own website and affiliated online gaming platforms.

The disputed domain name was registered on June 30, 2026. The disputed domain name resolves to a website entitled "Book of Ra Slot Adventure" describing itself as a "classic Egyptian treasure experience" and promoting a downloadable application. The website features imagery associated with the Complainant's BOOK OF RA game, including screenshots of the slot game interface displaying the "BOOK OF RA" name and the Complainant's BOOK OF RA figurative mark.

The Respondent is Vasily Kovalev, an individual residing in Estonia, as disclosed by the Registrar.

5. Parties' Contentions

A. Complainant

The Complainant contends that the disputed domain name is identical or confusingly similar to its registered BOOK OF RA trademarks, as the disputed domain name incorporates the mark in its entirety. The Complainant submits that the addition of the term "social" and the generic Top-Level Domain ("gTLD") ".live" does not prevent a finding of confusing similarity.

The Complainant further contends that the Respondent has no rights or legitimate interests in the disputed domain name. In particular, the Complainant asserts that: (i) the Complainant's trademark rights date back to 2005; (ii) the Respondent has no relationship with or authorisation from the Complainant to use the BOOK OF RA mark; (iii) the Respondent has not been commonly known by the disputed domain name or the sign BOOK OF RA, nor has the Respondent acquired any trademark rights in that name; and (iv) the Respondent uses the disputed domain name to offer infringing copies of the Complainant's slot games and to provide illegal gambling services, incorporating the Complainant's BOOK OF RA trademark in images promoting the illegal casino game.

The Complainant also contends that the disputed domain name was registered and is being used in bad faith. The Complainant asserts that the Respondent registered the disputed domain name long after the Complainant had registered its trademarks and established its online presence. The Complainant submits that the BOOK OF RA trademarks and associated games are so well known that the Respondent was undoubtedly aware of them at the time of registration. The Complainant further argues that the Respondent's website is designed to mislead the Complainant's customers by offering illegal copies of the Complainant's famous slot games and providing illegal gambling. The Complainant submits that 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 website and the products thereon. The

Complainant also contends that the disputed domain name is used to offer counterfeited versions of the Complainant's goods and services, and that 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

Paragraph 15(a) of the Rules instructs this Panel to "decide a complaint on the basis of the statements and documents submitted in accordance with the Policy, these Rules and any rules and principles of law that it deems applicable".

Paragraph 4(a) of the Policy requires that a complainant must prove each of the following three elements to obtain an order that a domain name should be cancelled or transferred:

- i. the domain name registered by the respondent is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- ii. the respondent has no rights or legitimate interests in respect of the domain name; and
- iii. the domain name has been registered and is being used in bad faith.

In view of the Respondent's failure to submit a Response, the Panel shall decide this dispute on the basis of the Complainant's undisputed representations pursuant to paragraphs 5(f), 14(a), and 15(a) of the Rules and draw such inferences as it considers appropriate pursuant to paragraph 14(b) of the Rules.

The Panel is entitled to accept all reasonable allegations set forth in a complaint. However, the Panel may deny relief where a complaint contains mere conclusory or unsubstantiated arguments. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3.

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 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 is reproduced 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.

Although the addition of other terms, here "social", 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.

Panels have held that the use of a domain name for illegal activity, here, claimed as illegal gambling services, 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 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 the present case, the Panel notes that the Respondent intentionally attempts to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant’s mark (paragraph 4(b)(iv) of the Policy). The Respondent registered the disputed domain name long after the Complainant had registered its trademarks and established an online presence. As the Complainant’s trademarks are well known, the Respondent was undoubtedly aware of them at the time of registration. The Respondent’s website uses the Complainant’s logo and the look and feel of the Complainant’s computer game. This is arguably intended to mislead consumers.

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

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 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 <book-of-ra-social.live> be transferred to the Complainant.

/Áron László/

Áron László

Sole Panelist

Date: August 16, 2026