

ADMINISTRATIVE PANEL DECISION

The Choctaw Nation of Oklahoma v. cs love
Case No. D2026-3148

1. The Parties

The Complainant is The Choctaw Nation of Oklahoma, United States of America ("United States"), represented by Dunlap Coddling, P.C., United States.

The Respondent is cs love, Malaysia.

2. The Domain Name and Registrar

The disputed domain name <casinochoctaw.com> 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 16, 2026. On July 17, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 20, 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 (Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 20, 2026, providing the registrant and contact information disclosed by the Registrar, and requesting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on July 23, 2026.

The Center verified that the Complaint together with the amended 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 29, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 20, 2026.

The Center appointed Manuel Moreno-Torres as the sole panelist in this matter on August 26, 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 the Choctaw Indian Nation and, the third largest federally-recognized Indian tribe in the United States, with over 225,000 tribal members and over 13,500 employees and associates. The Complainant's reservation covers nearly 11,000 square miles in Southeastern Oklahoma and harbors a multitude of tribal-owned businesses, including casinos.

The Complainant holds a portfolio of trademarks comprised of "choctaw", either alone or with additional words or figurative characters. For the purposes of this proceeding, it holds the trademark CHOCTAW CASINO before the United States Patent and Trademark Office under registration number 2860432, registered on July 6, 2004.

The Complainant operates a website at "www.choctawcasinos.com" to advertise its multiple casino and resort locations.

The disputed domain name <casinochoctaw.com> was registered on February 28, 2026, and redirects to a gambling website where the Complainant's mark is displayed¹.

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 <casinochoctaw.com> simply inverts the words that compose the mark CHOCTAW CASINO.

The Complainant also alleges that the Respondent is not a licensee of the Complainant nor is the Respondent otherwise authorized to use the Complainant's trademark for any purpose. Further, the Respondent's disputed domain name falsely suggests sponsorship, affiliation, or endorsement by the Complainant when this is not the case. Indeed, the Respondent is using a near-identical domain name to redirect Internet users to its website.

The Respondent is not commonly known by the disputed domain name.

Regarding the third requirement of the Policy, the Complainant submits that paragraphs 4(b)(iii) and (iv) of the Policy match with the circumstances of the case.

The Complainant also affirms that the Respondent's use of the disputed domain name constitutes passing off of its trademarks and is part of a broader pattern to trade on the Complainant's goodwill and divert Internet traffic for commercial gain.

¹ While the Panel notes that the evidence submitted by the Complainant as to the website hosted at the disputed domain name refers to a Registrar parked page, the Panel verified through its own independent research the described of the disputed domain name as reflected in this Decision.

B. Respondent

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

6. Discussion and Findings

Under paragraph 4(a) of the Policy, to succeed the Complainant must satisfy the Panel 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 was registered and is being used in bad faith.

There are no exceptional circumstances within paragraph 5(f) of the Rules to prevent the Panel from determining the dispute based upon the Complaint, notwithstanding the failure of the Respondent to file a Response. Under paragraph 14(a) of the Rules in the event of such a "default" the Panel is still required "to proceed with a decision on the complaint", whilst under paragraph 14(b) it "shall draw such inferences therefrom as it considers appropriate". This dispute resolution procedure is accepted by the domain name registrant as a condition of registration.

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 Panel finds the mark is recognizable within the disputed domain name. The mere reversal of the order of the words making up the Complainant's trademark does not prevent a finding of confusing similarity as such remains 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.

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 finds that the circumstances referred to in paragraph 4(c) do not apply to the Respondent, nor does any other legitimate circumstance apply in favor of the Respondent. Indeed, the Panel finds that the Respondent seemingly attempted to impersonate the Complainant to obtain a commercial gain and consequently is not making a bona fide offering of goods or services in accordance with paragraph 4(c)(i) of the Policy. The Panel also notes the lack of a disclaimer on the Respondent's website and the likely confusion it could generate for users or consumers.

Panels have held that the use of a domain name for illegitimate activity here, 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 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 attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's mark. That is to say, the Respondent has registered the disputed domain name which comprises of the entirety of both of the Complainant's mark and domain name <choctawcasinos.com> in reversed order, as well as it has not undertaken steps to avoid passing itself off as related to the Complainant, or otherwise confusing users.

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.

Under the circumstances of this case, including the composition of the disputed domain name, the reproduction of the Complainant's trademark on the Respondent's website and, the Respondent's carrying out of the same activity as the Complainant, the Panel finds that the Respondent was aware of the Complainant's trademark when registering the disputed domain name. Thus, the Panel finds that the Respondent knew or should have known about the Complainant and its trademarks, the Respondent targeted the Complainant and its trademark. Therefore, the Respondent registered and used the disputed domain name in bad faith.

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 <casinchoctaw.com> be transferred to the Complainant.

/Manuel Moreno-Torres/

Manuel Moreno-Torres

Sole Panelist

Date: September 4, 2026