

ADMINISTRATIVE PANEL DECISION

Lottoland Holdings Limited v. Svitlana Romanenko
Case No. D2026-3250

1. The Parties

The Complainant is Lottoland Holdings Limited, Gibraltar, United Kingdom, internally represented.

The Respondent is Svitlana Romanenko, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <lottoland-au.com> is registered with Dynadot Inc. (the “Registrar”).

3. Procedural History

The Complaint was submitted to the WIPO Arbitration and Mediation Center (the “Center”) on July 21, 2026. Following the Center’s request that the Complaint and annexes be filed as attachments, the Center received the Complaint on July 23, 2026. On July 23, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names <lottoland-au.com> and <lottolandcasino-ca.com>. On July 24, 2026, the Registrar transmitted by email to the Center its verification response, disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy / Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint.

The Center sent an email communication to the Complainant on July 28, 2026, providing the registrant and contact information disclosed by the Registrar and noting that the two disputed domain names were registered to different underlying registrants. The Complainant filed an amended Complaint on July 30, 2026, naming the Registrar-disclosed registrant for <lottoland-au.com> and stating its intention to proceed solely against that domain name. On August 14, 2026, the Center confirmed the partial withdrawal of the Complaint as to <lottolandcasino-ca.com>; the proceeding continued only in respect of <lottoland-au.com>.

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 proceeding commenced on August 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 3, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 10, 2026.

The Center appointed María Alejandra López García as the sole panelist in this matter on September 15, 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 licensed online gambling company, founded in May 2013 and headquartered in Gibraltar. The Complainant specializes in offering online betting services on the outcomes of several international lottery draws. The Complainant also offers a range of other games and betting markets, including instant wins, scratch cards, casino games, bingo, and sports betting.

According to the evidence provided by the Complainant, it holds the following trademark registrations:

- International trademark for the term LOTTOLAND (and design), Registration No. 1679409, registered on March 1, 2022; covering goods and services in International Classes ("ICs") 9, 35, 41, 42; designated countries: Austria, Australia¹, Bulgaria, Brazil, Benelux Office for Intellectual Property, Canada, Switzerland, Colombia, Germany, Spain, Ghana, Hungary, Ireland, Italy, Kenya, Republic of Korea, Malawi, Mozambique, Namibia, New Zealand, Romania, Rwanda, Sweden, Thailand, Zambia; and
- United Kingdom trademark for the term LOTTOLAND (and design), Registration number UK00003712451, filed on October 20, 2021, and registered on January 28, 2022, covering goods and services in ICs 9, 35, 41 and 42.

The Complainant owns the domain name <lottoland.com> and provides its online services through it.

The disputed domain name was registered on March 1, 2026. It currently resolves to a website offering gambling and betting services and displaying the LOTTOLAND trademark and logo throughout the entire website.

The underlying registrant seems to be an individual named "Svitlana Romanenko", located in Ukraine.

4.1 Additional Consideration – of the Respondent's location

In the present case, according to the information provided by the Registrar, the Respondent is (allegedly) located in the Dnipropetrovsk area of Ukraine, a country subject to international conflict.

The Respondent failed to submit a Response to the Complainant's allegations, despite having been duly notified by the Center in accordance with paragraphs 2(a) and 4 of the Rules, and paragraph 4(d) of the Supplemental Rules. There is no evidence that the case notification email to the Respondent's email address was not successfully delivered. The Panel notes that the Written Notice was successfully sent to the Respondent's postal address disclosed by the Registrar².

¹ Protection granted in Australia on November 14, 2022, Registration No. 2295980.

² See [WIPO Overview 3.1](#), section 4.8.

In this regard, the Panel, pursuant to paragraph 10(a) to (d) of the Rules, has taken into consideration the location of the Respondent, as well as the expedited nature of these proceedings, thereby confirming that despite the alleged location of the Respondent, the Center has fully complied with its notification obligations, and thus no additional circumstances exist to prevent the issuance of this Decision. See *Lottoland Holdings Limited v. Daryna Shkelebei*, WIPO Case No. [D2026-1599](#); *Elec Games C1 Limited v. Regery Ukraine, Regery Ukraine LLC*, WIPO Case No. [D2025-0728](#).

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 LOTTOLAND mark, and that the additional term "au" may refer to Australia or the Australian market. The Respondent has no rights or legitimate interests in respect of the disputed domain name. The disputed domain name was registered and is being used in bad faith. The Respondent deliberately selected the Complainant's distinctive LOTTOLAND trademark, combined it with terms associated with the Complainant's business and target Internet users seeking Lottoland-related gambling, lottery or casino services in Australia. The disputed domain name is being used to mimic the Complainant's business activities by displaying the LOTTOLAND name, logo, and branding throughout the website. Together with gambling-related calls to action, such as registration, application, and bonus offers, this use is intended to attract Internet users searching for the Complainant or its services and redirect them to third-party websites for commercial gain. Such use falls squarely within paragraph 4(b)(iv) of the Policy.

B. Respondent

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

6. Discussion and Findings

Under the Policy, the Complainant is required to prove that:

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

In accordance with paragraph 5(f) of the Rules, in the absence of a Response, the Panel shall decide the dispute based upon the Complaint. The complainant bears the burden of proof; a respondent's default does not, by itself, mean that the complainant is deemed to have prevailed. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 4.3. Therefore, the Panel will decide this case based on the "balance of probabilities" or "preponderance of the evidence" standard. [WIPO Overview 3.1](#), section 4.2.

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 Panel finds the 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](#), sections 1.7 and 1.10.

Although the addition of other terms here, a hyphen and the letters “au”, may bear on assessment of the second and third elements, the Panel finds the addition of such terms 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.

It is well accepted that if the composition of a disputed domain name suggests sponsorship or endorsement by the trademark owner, it cannot constitute fair use. [WIPO Overview 3.1](#), section 2.5.1.

Panels have held that the use of a domain name for a copycat website here offering online gambling and betting 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

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.

In the present case, the Panel notes that by the time the disputed domain name was registered, the Complainant had already established its trademark rights, including in Australia since 2022. The nature and use of the disputed domain name clearly indicate that the Respondent was aware of and specifically targeted the Complainant's distinctive LOTTOLAND trademark, and deliberately chose the disputed domain name with the Complainant and the Australian market in mind. Therefore, the Panel finds that the Respondent knew the Complainant, and therefore the disputed domain name was registered in bad faith. [WIPO Overview 3.1](#), sections 3.2.1 and 3.2.2.

Regarding bad faith use, the Panel finds that the Respondent's conduct falls within paragraph 4(b)(iv) of the Policy, by mimicking the Complainant's website, imitating its services, and by using the distinctive LOTTOLAND trademark without the Complainant's authorization. [WIPO Overview 3.1](#), section 3.1.4.

Panels have held that the use of a domain name for hosting a copycat version of the Complainant's website, here online gambling and betting 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 <lottoland-au.com> be transferred to the Complainant.

/María Alejandra López García/

María Alejandra López García

Sole Panelist

Date: September 21, 2026