

ADMINISTRATIVE PANEL DECISION

TIPWIN Limited v. Adam Domanski

Case No. D2026-3612

1. The Parties

The Complainant is TIPWIN Limited, Malta, represented by KROHER STROBEL Rechts- und Patentanwälte PartmbB, Germany.

The Respondent is Adam Domanski, Poland.

2. The Domain Name and Registrar

The disputed domain name <tipwincasino1.org> is registered with Hosting Concepts B.V. d/b/a Registrar.eu. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on August 13, 2026. On August 13, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 14, 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 (The RDAP server redacted the value, REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 17, 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 amended Complaint on August 18, 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 August 24, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on September 14, 2026.

The Center appointed Mladen Vukmir as the sole panelist in this matter on September 17, 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 company incorporated in Malta and a licensed sports betting operator, providing betting services in the stationary and online sectors in Germany. According to the legal notice on its website, the Complainant was granted a German gambling license for virtual slot games on June 14, 2022, and a license to offer sports betting online and in physical locations on December 27, 2022.

The Complainant is the owner of the European Union Trade Mark Registration No. 018073646 for the figurative mark TIPWIN, registered on October 31, 2019, in classes 9, 16, 28, 35, 36, 38, 41, and 45, covering, inter alia, betting services, casinos and on-line gambling services in class 41 (the “TIPWIN Mark”).

The Complainant operates a website at the domain name <tipwin.de>, the legal notice for which identifies the Complainant as the operator, providing its business address in Kalkara, Malta, and information regarding its German sports betting license.

The Respondent is an individual purportedly located in Poland and the registrant of the disputed domain name, as disclosed by the Registrar. The disputed domain name was registered on July 29, 2026. Screenshots submitted by the Complainant, dated August 12, 2026, show the disputed domain name resolving to a German-language website for “Tipwin Casino Germany – Welcome Bonus and Live Casino” (translated from German), offering online casino, slots, live casino and sports betting services, prominently using the term “Tipwin”, which is the word element of the Complainant’s TIPWIN mark and the Complainant’s company name, and listing [...]@tipwincasino1.org as its contact email address. The record shows that emails sent to that address in the course of these proceedings could not be delivered.

On the date of this Decision, the Panel visited the disputed domain name (WIPO Overview of WIPO Panel Views on Select UDRP Questions (“[WIPO Overview 3.1](#)”), section 4.8) and found that it resolved to an active German-language website that appears to provide betting and gambling services while using the Complainant’s company name and trademark.

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:

- i) it is active in the gambling and sports betting sector, providing multi-channel sports betting services both in stationary and online environments;
- ii) the disputed domain name is confusingly similar to the Complainant’s TIPWIN Mark and company name, as it incorporates the word element “tipwin” in its entirety, together with the term “casino” and the numeral “1”. The Complainant further submits that the disputed domain name is used in connection with betting and gambling services, thereby increasing the potential for confusion with the Complainant’s trademark and business activities;

iii) the Respondent has no rights or legitimate interests in respect of the disputed domain name, submitting that the Respondent has not acquired any relevant trademark rights, that the registration and use of the disputed domain name were not authorized by the Complainant, and that there is no relationship or connection between the Parties. The Complainant further argues that the Respondent is not making a legitimate noncommercial or fair use of the disputed domain name, which is instead used in connection with betting and gambling services corresponding to those of the Complainant;

iv) the disputed domain name was registered and is being used in bad faith, arguing that the Respondent's use of the disputed domain name, including the incorporation of the Complainant's TIPWIN Mark and company name and the use of "Tipwin Casino" on the associated website, demonstrates intentional targeting of the Complainant. The Complainant further submits that the Respondent's services are directed at German consumers and that the disputed domain name was registered primarily to disrupt the Complainant's business and, alternatively or additionally, to intentionally attract Internet users for commercial gain by creating a likelihood of confusion with the Complainant's trademark and company name as to the source, affiliation, or endorsement of the Respondent's website. In a further communication to the Center dated August 19, 2026, the Complainant submitted that the email address [...]@tipwincasino1.org, being the only contact information on the website at the disputed domain name, is not functional, which it considers a further indication of the Respondent's bad faith.

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 3.1](#), section 1.7.

The Complainant is the holder of the TIPWIN Mark, registered as a European Union Trade Mark. Therefore, 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 TIPWIN Mark is a figurative mark consisting of the word "tipwin" in stylized lettering. The design elements of the mark are incapable of representation in a domain name and are therefore disregarded for the purposes of assessing confusing similarity, while the textual element "tipwin" is clearly the dominant element of the mark. [WIPO Overview 3.1](#), section 1.10.

The Panel finds that the textual element of the mark is reproduced in its entirety 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 the term "casino" and the numeral "1" may bear on assessment of the second and third elements, the Panel finds the addition of such elements 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 generic Top-Level Domain ".org" is a standard registration requirement and is disregarded under the first element confusing similarity test. [WIPO Overview 3.1](#), section 1.11.1.

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 notes that the composition of the disputed domain name combines the textual element of the TIPWIN Mark with the term “casino”, describing services for which the mark is registered and which fall within the Complainant’s field of activity, and finds that such composition coupled with the use to which the disputed domain name has been put, signals the Respondent’s intention of taking unfair advantage of the likelihood of confusion between the disputed domain name and the Complainant as to the origin or affiliation of the website. The Respondent is not authorized by the Complainant to use the TIPWIN mark, and there is no indication that the Respondent is commonly known under the disputed domain name. There is no apparent relation from the records between the Respondent and the Complainant, neither does it arise that the Complainant has ever licensed or otherwise permitted the Respondent to use the TIPWIN Mark, or to apply for or use any domain name incorporating the same mark.

The Panel notes that the website associated with the disputed domain name identifies its operator only as “Tipwin Casino”, a designation which is itself derived from the Complainant’s mark. There is no evidence in the record that the Respondent has any right to use that name, that the Respondent is commonly known by a name corresponding to the disputed domain name independently of the Complainant’s mark, or that any such use predates the Complainant’s trademark rights. [WIPO Overview 3.1](#), section 2.3.

There is no evidence in the case file or otherwise apparent to the Panel that the Respondent has been using the disputed domain name in connection with bona fide offering of goods or services or making a legitimate noncommercial or fair use of the disputed domain name. The Respondent is using the disputed domain name to resolve to a website prominently using the term “tipwin”, the textual element of the Complainant’s mark, to offer online casino and sports betting services competing with those of the Complainant. Such use, which trades on the Complainant’s mark to offer competing services, cannot be considered bona fide. There is no disclaimer on the website clarifying the (lack of) relationship between the Parties. The Respondent has not provided explanation or evidence demonstrating any rights or legitimate interests, nor has submitted evidence of a bona fide offering of goods or services, or of any legitimate noncommercial or fair use of the disputed domain name.

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.

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 finds on this record that the Respondent was aware of the Complainant and its TIPWIN Mark at the time of registration, given the composition of the disputed domain name and its contemporaneous use for a directly competing online betting and gambling service.

The disputed domain name incorporates the textual element of the TIPWIN Mark in its entirety, combined with the term "casino", and is used to resolve to an online casino and sports betting website presented under the name "Tipwin Casino", which is likely to create the false impression that the website is operated by, or affiliated with, the Complainant. The registration of the Complainant's TIPWIN Mark in 2019 and the Complainant's licensed betting operations in Germany since 2022 predate the registration of the disputed domain name. Registering the disputed domain name, which is confusingly similar to the Complainant's mark, and then using the disputed domain name for an online betting and gambling service competing with that of the Complainant, shows that the Respondent knew of the Complainant and its TIPWIN Mark and deliberately targeted them. The Panel finds that the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of the Respondent's website, within the meaning of paragraph 4(b)(iv) of the Policy.

Moreover, the Panel considers that the following circumstances, viewed together, form a consistent pattern of conduct which confirms the Respondent's bad faith: (i) the disputed domain name reproduces the textual element of the Complainant's distinctive mark together with the term "casino", which directly describes the Complainant's field of activity and services covered by the mark; (ii) the website at the disputed domain name is in German and is directed at consumers in Germany, the very market in which the Complainant holds its gambling licenses; (iii) the services offered on that website, namely online casino, slots, live casino and sports betting, directly compete with those of the Complainant; (iv) the record contains no information on the operator of the website other than the name "Tipwin Casino", and the only email address listed on the website proved to be non-functional when used for communications in these proceedings, which, absent any explanation, suggests that the Respondent seeks to avoid being contacted or identified; (v) the disputed domain name was put to such use within two weeks of its registration; and (vi) the Respondent did not respond to the Complaint or offer any explanation for its choice and use of the disputed domain name, although given the opportunity to do so. [WIPO Overview 3.1](#), section 3.2.1. While none of these circumstances might be decisive on its own, taken together they leave no plausible good-faith explanation for the Respondent's registration and use of the disputed domain name. Having regard to all of the above, the Panel finds that the Respondent has registered and is using the disputed domain name in 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 <tipwincasino1.org> be transferred to the Complainant.

/Mladen Vukmir/

Mladen Vukmir

Sole Panelist

Date: October 1, 2026