

ADMINISTRATIVE PANEL DECISION

New Scientist Limited v. Serhii Strachevskyi
Case No. D2026-3767

1. The Parties

The Complainant is New Scientist Limited, United Kingdom, represented by Adlex Solicitors, United Kingdom.

The Respondent is Serhii Strachevskyi, Ukraine.

2. The Domain Name and Registrar

The disputed domain name <newscientistpublish.com> is registered with Spaceship, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 24, 2026. On August 24, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 26, 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 (Registrant name redacted) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 26, 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 August 26, 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 September 2, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 22, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 23, 2026.

The Center appointed Andrea Mondini as the sole panelist in this matter on September 25, 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. Further Procedural Considerations

Under paragraph 10 of the Rules, the Panel is required to ensure that the Parties are treated with equality and that each Party is given a fair opportunity to present its case, and also that the administrative proceeding takes place with due expedition. Since the Respondent's mailing address is stated to be in Ukraine (whether this is indeed accurate is not clear), which is subject to an international conflict 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. Having considered all the circumstances of the case, the Panel is of the view that it should.

The Panel notes that the Center did send the Notification of Complaint by postal service to the Registrar-disclosed physical address and by email to the Respondent at its email address as registered with the Registrar, to a postmaster email address as specified by the Rules. There is no evidence that these notifications were not successfully delivered. The Panel also notes that the Complainant has specified in the Complaint that any challenge made by the Respondent to any decision to transfer or cancel the disputed domain name shall be referred to the jurisdiction of the courts at the location of the principal office of the concerned registrar. In this case, the principal office of the Registrar, Spaceship, Inc. is in Phoenix, Arizona, United States of America. It is moreover noted that, for the reasons which are set out later in this Decision, the Panel has no serious doubt (albeit in the absence of any Response) that the Respondent registered and has used the disputed domain name in bad faith and with the intention of unfairly targeting the Complainant's goodwill in its trademark. The Panel concludes that the Parties have been given a fair opportunity to present their case, and so that the administrative proceeding takes place with due expedition the Panel will proceed to a Decision accordingly.

5. Factual Background

The Complainant and its predecessors have published a science magazine called "New Scientist" since 1956, with weekly English-language editions in several countries and a total of over 9 million copies circulated in 2025.

The Complainant owns numerous trademark registrations in several jurisdictions, including:

Trademark	Jurisdiction	Registration number	Registration date	International class
NEW SCIENTIST	United Kingdom	UK00001293484	August 18, 1989	16
NEW SCIENTIST	European Union	001524008	February 26, 2001	9, 16, 35, 41, 42

The Complainant has operated the website at "www.newscientist.com" since the 1990s.

The Respondent did not file a Response. Therefore, not much is known about the Respondent.

The disputed domain name was registered on May 12, 2026.

According to the evidence submitted with the Complaint, the disputed domain name redirected to a website promoting gambling services to Swedish users.

6. 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 as follows:

The trademark NEW SCIENTIST has been extensively used to identify the Complainant and its publications. The disputed domain name is confusingly similar to this trademark in which the Complainant has rights, because it incorporates this trademark in its entirety, and the addition of the term "publish" is not sufficient to prevent a finding of confusing similarity.

The Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has not been authorized by the Complainant to use this trademark, is not commonly known by the disputed domain name, and there is no evidence of the Respondent's use, or demonstrable preparation to use, the disputed domain name in connection with a bona fide offering of goods and services.

The disputed domain name was registered in bad faith because it is obvious that the Respondent had knowledge of both the Complainant and its well-known trademark at the time it registered the disputed domain name.

The Respondent is using the disputed domain name in bad faith, by redirecting it to a gambling website.

B. Respondent

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

7. Discussion and Findings

According to paragraph 4(a) of the Policy, in order to succeed, a complainant must establish each of the following elements:

- (i) the disputed domain name is identical or confusingly similar to the 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 Panel finds the entirety of the mark is reproduced within the disputed domain name.

Although the addition of other terms such as here "publish" may bear on assessment of the second and third elements, the Panel finds that in the present case 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 addition of the generic Top-Level Domain (“gTLD”) “.com” in the disputed domain name is a standard registration requirement and as such may be disregarded under the confusing similarity test under the Policy, paragraph 4(a)(i). [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 for a complainant to prove 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. In particular, the redirection of the disputed domain name to a website promoting gambling services does not constitute a use in connection with a bona fide offering of goods and services.

Furthermore, the composition of the disputed domain name itself suggests a connection or implied affiliation between the Complainant and the Respondent, which in fact does not exist. [WIPO Overview 3.1](#), section 2.5.1.

Based on the available record, 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. [WIPO Overview 3.1](#), section 3.2.1.

In the view of the Panel, noting that the Complainant’s trademark registration predates the registration of the disputed domain name and considering that the Complainant’s trademark is well-known and that the word “publish” within the disputed domain name directly refers to the business field of the Complainant, it is inconceivable that the Respondent could have registered the disputed domain name without knowledge of the Complainant’s well-known trademark. In the circumstances of this case, this is evidence of registration in bad faith.

The disputed domain name redirects to a website promoting gambling services. Such use is likely to harm the Complainant’s reputation as a publisher of science magazines. The Panel holds that by using the disputed domain name, 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 its website in the sense of Policy, paragraph 4(b)(iv).

The Panel finds that the Complainant has established the third element of the Policy.

8. 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 <newscientistpublish.com> be transferred to the Complainant.

/Andrea Mondini/

Andrea Mondini

Sole Panelist

Date: October 7, 2026