ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Frilax Co Limited v. Andrei Ionescu
Case No. D2026-4046

1. The Parties

The Complainant is Frilax Co Limited, Cyprus, represented by PROFITMARK, Ukraine.

The Respondent is Andrei Ionescu, United Kingdom.

2. The Domain Names and Registrars

The disputed domain name <zoome-casino-australia.online> is registered with Spaceship, Inc. The disputed domain name <zoome-casino.online> is registered with Gandi SAS (Spaceship, Inc. and Gandi SAS are collectively referred to as the "Registrars").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 9, 2026. On September 10, 2026, the Center transmitted by email to the Registrars requests for registrar verification in connection with the disputed domain names. On September 11, 2026, the Registrars transmitted by email to the Center their verification responses disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Unknown) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 12, 2026, providing the registrant and contact information disclosed by the Registrars, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on September 21, 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 September 23, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 13, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 19, 2026.

The Center appointed Alistair Payne as the sole panelist in this matter on October 22, 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 uses the domain name <zoome.casino> at which it operates an online casino and gaming business. It owns combined word and logo mark registrations for its ZOOME trade mark, including United Kingdom Registration No. UK00004123698 registered on February 21, 2025 and European Union Registration No. 019074936 registered on January 21, 2025.

The disputed domain name <zoome-casino-australia.online> was registered on July 24, 2026, and resolves to a website that is presented as being aimed at Australian users and which features a copy of the Complainant's ZOOME logo and presents to Internet users an online casino using a similar look and feel, colour scheme and iconography to the Complainant's website at "www.zoome.casino".

The disputed domain name <zoome-casino.online> was registered on August 1, 2025, and at the time the Complaint was filed it did not resolve to an active website. At the date of this decision, the Panel notes that it resolves to a website in German and although it is a slightly different format to the website at <zoome-casino-australia.online>, features a copy of the Complainant's ZOOME logo and presents to Internet users an online casino using a similar look and feel, colour scheme and iconography to the Complainant's website at "www.zoome.casino".

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 names.

The Complainant submits that it owns registered trade mark rights as set out above. It says that the <zoome-casino.online> disputed domain name reproduces ZOOME in its entirety and merely adds the descriptive term "casino". It also asserts that the <zoome-casino-australia.online> disputed domain name does the same thing but includes the geographical term "Australia". It says that these additions reinforce, rather than dispel an association with the Complainant's casino business.

The Complainant says that it has never licensed, authorised, or otherwise permitted the Respondent to use ZOOME, or to register either disputed domain name. It further says that the Respondent is not known by ZOOME and that, to the Complainant's knowledge, it owns no relevant trade mark rights. The Complainant submits that the Respondent's use is neither bona fide nor fair. It says that the evidence shows that the websites at each of the disputed domain names imitate the Complainant's official ZOOME casino presentation and reproduce the ZOOME branding, logo, visual identity and other distinctive website elements without authorisation. Such use, says the Complainant, seeks to capitalise on confusion with the Complainant's business and accordingly the Respondent cannot establish rights or legitimate interests in either of the disputed domain names.

The Complainant asserts that the choice of the distinctive ZOOME mark together with "casino" and, for the other disputed domain name, the choice of "Australia", demonstrates knowledge and deliberate targeting of the Complainant. It says that the similarities of the website to its own website dispel any possibility of coincidence. It also says that this website prominently reproduces the ZOOME name and logo and copies the distinctive visual appearance, colour scheme, layout and other elements associated with the Complainant's official website at <zoome.casino>. It further asserts that the overall presentation creates the

clear impression that the website is an official website of the Complainant's, or is otherwise authorised by, or affiliated with, the Complainant.

The Complainant says that the Respondent's use of the ZOOME trade mark is therefore not limited to the disputed domain names themselves. The ZOOME brand is reproduced throughout the website, including the ZOOME logo. According to the Complainant, this together with the casino-related website presentation demonstrates that the Respondent was aware of the Complainant and its ZOOME trade mark and deliberately sought to create an association with the Complainant's casino brand. It submits that such conduct constitutes strong evidence of registration and use in bad faith within the meaning of paragraph 4(a)(iii) of the Policy.

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 trade mark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.7.

The ZOOME word mark is the dominant element of the combined word and logo mark owned by the Complainant as noted above. The Complainant has therefore shown rights in respect of a trade mark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the mark is recognisable within each of the disputed domain names. Accordingly, each of the disputed domain names 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, namely "casino" in both disputed domain names and "australia" in <zoome-casino-australia.online> 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 each 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 recognised 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.

The Complainant has submitted that it has never licensed, authorised or otherwise permitted the Respondent to use ZOOME, or to register either disputed domain name. It has further asserted that the Respondent is not known by ZOOME and that, to the Complainant's knowledge, owns no relevant trade mark rights. The Complainant has contended that the Respondent's use is neither bona fide nor fair. It has submitted that the evidence shows that the website at the disputed domain name <zoome-casino-australia.online> imitates the overall look of the Complainant's official ZOOME online casino website and reproduce the ZOOME branding, logo, visual identity and other distinctive website elements without authorisation. Finally, the Complainant has submitted that seeking to capitalise on confusion with its business is not consistent with the Respondent having rights or legitimate interests in either of the disputed domain names.

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 each of the disputed domain names. 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 names such as those enumerated in the Policy or otherwise.

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

C. Registered and Used in Bad Faith

In the present case, the Panel notes that each of the disputed domain names was registered after the date of registration of the Complainant's trade marks. Based on the composition of the disputed domain names and the similarities of the websites to which each of the disputed domain names resolves at the date of this decision, including the reproduction and use of the Complainant's registered ZOOME word and logo mark and obvious similarities in the visual appearance, colour scheme, iconography and layout of the Complainant's official website at "www.zoome.casino", it is most likely that the Respondent was well aware of the Complainant's business, website and ZOOME trade mark when it registered each of the disputed domain names.

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.

Under paragraph 4(b)(iv) of the Policy there is evidence of registration and use of the disputed domain name in bad faith where a respondent has used the disputed domain name to intentionally attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trade marks as to the source, sponsorship, affiliation or endorsement of the website.

In this case the Respondent has used each of the disputed domain names featuring the Complainant's mark to confuse and attract Internet users to its own websites which are targeted respectively at Australian and, at the time of this decision,German Internet users and which offer games and casino-related offerings. It has sought to make the website at each disputed domain name look as if it is operated by or is authorised by the Complainant, including by copying the Complainant's registered combined word and logo marks and using a very similar colour scheme, layout and iconography. It is apparent that the Respondent has used each of the disputed domain names to seek to masquerade as if it was the Complainant, or has been authorised by the Complainant and has targeted the Complainant in this regard for its own profit. This amounts to conduct in terms of paragraph 4(b)(iv) of the Policy and is evidence of registration and use of each of the disputed domain names in bad faith.

The Panel notes that at the time of filing of the Complaint, the disputed domain name <zoome-casino.online> resolved to an inactive page. However, this non-use does not by itself prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.1, section 3.3. Having reviewed the available record, the Panel notes the reputation of the Complainant's trademark in its field, the composition of the disputed domain name, and its connection to the other disputed domain name which was registered by the same registrant, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

The Panel therefore 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 names <zoome-casino-australia.online> and <zoome-casino.online> be transferred to the Complainant.

/Alistair Payne/
Alistair Payne
Sole Panelist
Date: October 26, 2026