ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
Omaze, Inc. v. Turis Ilacta
Case No. D2026-4260

1. The Parties

The Complainant is Omaze, Inc., United States of America ("United States"), represented by Bird & Bird LLP, United Kingdom.

The Respondent is Turis Ilacta, United States.

2. The Domain Name and Registrar

The disputed domain name <omazeprize.com> (the "Domain Name") is registered with Name.com, Inc. (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 18, 2026. On September 22, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the Domain Name. On September 22, 2026, the Registrar transmitted by email to the Center its verification response confirming that the Respondent is listed as the registrant and providing the contact details.

The Center verified that 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 25, 2026. In accordance with the Rules, paragraph 5, the due date for a response was October 15, 2026. The Respondent did not submit a response. Accordingly, the Center notified the Respondent's default on October 19, 2026.

The Center appointed A. Justin Ourso III as the sole panelist in this matter on October 30, 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, since its launch in the United States in 2012 and the United Kingdom in 2020, has become a market-leading fundraising organization that partners with, and raises money for, charities under its trademark OMAZE. It operates currently in the United Kingdom and Germany, having suspended its platform in the United States, with plans to resume its operations there.

The Complainant owns a United States registration, No. 4,320140, for its OMAZE trademark, issued on April 16, 2013, in Class 35 for promoting the charities of others, in Class 41 for providing a website for entertainment purposes and sweepstakes services, and in Class 42 for charitable services, and a United Kingdom registration, No. UK00801391303, for its OMAZE trademark, issued on August 3, 2018, in Class 9 for downloadable mobile applications facilitating participation in sweepstakes, charitable activities, and other related activities; in Class 35 for promoting the charitable services of others and other services; in Class 42 for online computer platforms for connecting nonprofit organizations, endorsers, and donors for fundraising, and for other services; in other classes for other products and services; and owns other registrations in the United States, the United Kingdom, and globally for its OMAZE trademark and for its figurative marks, some of which include its OMAZE word trademark.

The Complainant owns the domain names <omaze.com>, which it registered on December 23, 2006, and <omaze.co.uk>, which it registered on January 20, 2019, and operates a website at these domains on which it promotes and sells house prize-draw sweepstakes and other sweepstakes to customers.

The Respondent registered the Domain Name on August 25, 2026, without any authorization from the Complainant. Prior to the filing of the Complaint, the Domain Name resolved to a website mimicking the Complainant's website, displaying the Complainant's OMAZE trademark, and offering a house prize-draw sweepstakes. The Respondent's web site at the Domain name is currently inactive.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy to transfer the Domain Name. Notably, the Complainant contends that the Domain Name resolved to a scam website that fraudulently copied content from its website, including reproducing text, graphics, and the layout, and displaying its OMAZE trademark; the Respondent's site fraudulently induced Internet users to make payments in the false belief that they are entering the Complainant's house prize-draw competition, diverting revenue from the Complainant and its charity partners; the Respondent's site was damaging its reputation and diluting its trademark, weakening its ability to distinguish its house prize-draw competitions from those of third-party scams; and the use of the descriptive element "prize," which is descriptive of the Complainant's activities, in the Domain Name in addition to its OMAZE trademark makes confusion inevitable.

The Complainant requested transfer of the Domain Name.

B. Respondent

The Respondent did not submit a response to the Complaint.

6. Discussion and Findings

A complainant must prove three elements to obtain relief: (i) the domain name is identical or confusingly similar to a trademark in which the complainant has rights; (ii) the respondent has no rights or legitimate interests in the domain name; and (iii) the respondent registered and is using the domain name in bad faith. Policy, paragraph 4(a).

A. Identical or Confusingly Similar

On the first element, a Complainant must prove that (1) it has rights in a trademark, and (2) the Domain Name is identical or confusingly similar to this trademark. Policy, paragraph 4(a)(i).

The Panel finds that the Complainant's registrations establish its trademark rights. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 1.2.1.

The Domain Name incorporates the entire trademark and the trademark is readily recognizable within the Domain Name, notwithstanding the addition of the element "prize" after the trademark. The Panel finds that the Domain Name is confusingly similar to the trademark. WIPO Overview 3.1, sections 1.7 and 1.8. Accordingly, the Panel concludes that the Complainant has proven the first element: the Domain Name is confusingly similar to a trademark in which it has rights.

B. Rights or Legitimate Interests

The Respondent has not claimed the existence of any circumstance under the Policy, paragraph 4(c), that demonstrates that a respondent has rights to, or legitimate interests in, a domain name. Additionally, the record has no evidence showing that the Respondent is known by the mark. On the other hand, the Complainant has shown that it established its trademark rights long before the Respondent registered the Domain Name, it has not authorized the Respondent to use its trademark, and the Respondent has used its trademark in a "passing off" scheme on a scam website, which is an illegitimate use. This is a showing prima facie that the Respondent lacks any rights or legitimate interests in the Domain Name under the Policy, paragraph 4(a)(ii), shifting the burden of production on this second element to the Respondent to come forward with relevant evidence proving rights or legitimate interests in the Domain Name. WIPO Overview 3.1, section 2.1. The Respondent has not submitted any evidence to rebut the prima facie showing.

Importantly, the Panel finds that the Domain Name resolved to a website competing with the Complainant and its website by mimicking the Complainant's website, by displaying the Complainant's trademark on the site, and by offering houses in a prize sweepstakes under the Complainant's trademark. The Respondent's inclusion in the Domain Name of the element "prize," which is descriptive of the Complainant's business operation, together with the Complainant's trademark suggests ownership, sponsorship, or endorsement by the trademark owner, WIPO Overview 3.1, section 2.5.1, which discredits the possibility of any legitimate interest. The Panel finds that the Respondent web site implied an affiliation with the Complainant, which is not a bona fide commercial use, a noncommercial use, or a fair use of the Domain Name. To the contrary, the evidence shows an intended deceptive use for commercial gain. WIPO Overview 3.1, sections 2.5 and 2.13.

Additionally, the Panel finds that the Registrar identified the Registrant by a name that does not resemble the trademark or the Domain Name and provided an email address for the Respondent that does not resemble the trademark or the Domain Name, which corroborate that the Respondent is not known by the Domain Name. Lastly, the Respondent failed to answer the Complaint, WIPO Overview 3.1, section 2.5.3. Accordingly, the Panel concludes that the Complainant has proven the second element: the Respondent lacks rights or legitimate interests in the Domain Name.

C. Registered and Used in Bad Faith

The Policy provides that the following circumstance is "evidence of the registration and use of a domain name in bad faith: […] by using the domain name, you have intentionally attempted to attract, for commercial gain, Internet users to your web site […], by creating a likelihood of confusion with the complainant's mark as to the source, sponsorship, affiliation, or endorsement of your web site or location or of a product or service on your web site." Policy, paragraph 4(b)(iv).

The Panel finds that the descriptive element "prize" in the Domain Name betrays an intent to associate misleadingly the Domain Name with the Complainant's trademark. WIPO Overview 3.1, section 2.5.1. Additionally, as discussed above in Part 6(B), the record shows that the Domain Name resolved to a website that was designed to give the impression that it was the Complainant's, or was affiliated with the Complainant, on which the Respondent offered competing prize competitions under the Complainant's trademark. The Panel finds this conclusive evidence that the Respondent's registration and use of the Domain Name targeted the Complainant's mark; the Respondent must have been aware of the Complainant's website, its trademark, and its rights in the mark at the time that the Respondent registered the Domain Name; and the Domain Name and the Respondent's site are intended to attract, misleadingly and deceptively, customers and potential customers of the Complainant, for the Respondent's commercial gain. WIPO Overview 3.1, sections 3.1.4, 3.2.1, and 3.2.2.

During the preparation of this Decision, the Domain Name did not resolve to an active, functioning website. However, the Panel agrees with those panels who have consistently found that the non-use of a domain name does not prevent a finding of bad faith, under the doctrine of passive holding, when other elements are present that demonstrate bad faith. WIPO Overview 3.1, section 3.3. Here, importantly, without a finding of bad faith and a transfer of the Domain Name, the Respondent could resume the use of an active web site under the Domain Name and resume its competitive and infringing activities.

These findings compel the Panel to conclude that the Respondent intentionally registered the Domain Name in bad faith to take unfair advantage of the Complainant's trademark and that the Respondent is using the Domain Name in bad faith intentionally to attract Internet users to its site for commercial gain by creating a likelihood of confusion with the Complainant's trademark as to the source of the site or the source of the services offered on the site, in violation of the Policy, paragraph 4(b)(iv). Accordingly, the Panel concludes that the Complainant has proven the third element: the Respondent registered and is using the Domain Name in bad faith.

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 Domain Name <omazeprize.com> be transferred to the Complainant.

/A. Justin Ourso III/
A. Justin Ourso III
Sole Panelist
Date: November 5, 2026