ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION
The Odds API Pty Ltd v. Details Not Provided by Registrant
Case No. D2026-4323

1. The Parties

The Complainant is The Odds API Pty Ltd, Australia, represented by The GigaLaw Firm, Douglas M. Isenberg, Attorney at Law, LLC, United States of America ("United States").

The Respondent is Details Not Provided by Registrant, United States.

2. The Domain Name and Registrar

The disputed domain name <theoddsapi.com> is registered with GoDaddy.com, LLC (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on September 24, 2026. On September 25, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On September 28, 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 (Registration Private, Domains By Proxy, LLC) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 30, 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 September 30, 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 October 1, 2026. In accordance with the Rules, paragraph 5, the due date for Response was October 21, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on October 22, 2026.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on October 26, 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 an Australian company founded in 2018. The Complainant provides a service known as THE-ODDS-API that aggregates betting odds from different bookmakers across multiple sports and jurisdictions and makes this data available to customers through a simple application programming interface. The Complainant's customers use its THE-ODDS-API service for the development of websites and applications, notification and monitoring systems, data analysis, and statistical and machine-learning models.

The Complainant owns and operates as its official website the domain name <the-odds-api.com>, registered on February 12, 2017 (Annexes 5 and 6 to the Complaint). The Complainant maintains social media accounts on X ("https://x.com/The_Odds_API"), formerly known as Twitter; and GitHub ("https://github.com/the-odds-api"), a platform for hosting and collaborating on code.

The disputed domain name was registered on November 1, 2024. At filing of the Complaint, the disputed domain name resolved to an active webpage offering the same services as those of the Complainant on a website that appears to be associated with the Complainant. The Complainant received complaints from different customers as to the Respondent's impersonation of the Complainant (Annex 11 to the Complaint).

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 asserts that its THE-ODDS-API service has been used by both individuals and businesses around the world, with a strong customer presence in the United States, the United Kingdom, the European Union and Australia, presently counting tens of thousands of active users, these services having been offered in commerce continuously since at least 2018 under the THE-ODDS-API trademark.

Furthermore, the Complainant asserts that the services offered at the disputed domain name include data copied from the Complainant's THE-ODDS-API service, in violation of its Terms of Use (Annex 9 to the Complaint), as indicated by watermarked changes which were duplicated in the Respondent's website (Annex 7 to the Complaint).

The Complainant further asserts to be the owner of common law trademark rights in THE-ODDS-API for use in connection with aggregation of data for online betting services, which was first used in commerce at least as early as 2018 (Annex 14 to the Complaint). The Complainant contends that the disputed domain name contains THE-ODDS-API trademark in its entirety, simply eliminating the hyphens.

As to the Respondent's lack of rights or legitimate interests in respect of the disputed domain name, the Complainant argues that:

i) the Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use THE-ODDS-API trademark in any manner;
ii) by using the disputed domain name in connection with a website that appears to be a website for, or otherwise associated with, the Complainant, by offering the same services offered by the Complainant in

connection with THE-ODDS-API trademark, which has led to actual confusion (Annex 11 to the Complaint), the Respondent has failed to create a bona fide offering of goods or services under the Policy;
iii) the Respondent has never been commonly known by the disputed domain name and has never acquired any trademark or service mark rights in the disputed domain name; and
iv) by using the disputed domain name in connection with a website that resells the Complainant's data in violation of the Complainant's Terms of Use (Annexes 8 and 9 to the Complaint), the Respondent is not using the disputed domain name "in connection with a bona fide offering of goods or services" and is not "making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue".

The Complainant further asserts that the registration of the disputed domain name was done clearly in bad faith given the full knowledge of the Respondent in the Complainant and its trademark, being the disputed domain name "so obviously connected with" the Complainant, that the Respondent's actions suggest "opportunistic bad faith" in violation of the Policy. Moreover, the Complainant asserts that the Respondent's creation of a website that appears to be a website for the Complainant (Annex 8 to the Complaint) is "likely fraudulent" and "indicates an intent to deceive or, at a minimum, act in bad faith with the intent for commercial gain"; multiple customers having reported that they believed that the website using the disputed domain name was a website for, or otherwise associated with, the Complainant, resulting in actual confusion. Additionally, the Respondent is clearly violating the Complainant's Terms of Use, which specifically states (among other things) that customers such as the Respondent may not "resell, repackage, or redistribute our data as a standalone data product […] includ[ing], but […] not limited to, offering our data through your own API, data feed, downloadable files, or any other format intended to serve as a source of raw data for others".

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth the following three requirements, which have to be met for this Panel to order the transfer of the disputed domain name to the Complainant:

(i) the disputed domain name is identical or confusingly similar to a 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.

Section 4.3 of the WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1") states that a respondent's default (i.e., failure to submit a formal response) would not by itself mean that the complainant is deemed to have prevailed; a respondent's default is not necessarily an admission that the complainant's claims are accurate.

The Complainant must prove in this administrative proceeding that each of the aforesaid three elements is present in order to obtain the transfer of the disputed domain name.

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 Panel finds the Complainant has established unregistered service mark rights for the purposes of the Policy (Annex 14 to the Complaint). WIPO Overview 3.1, section 1.3.

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, section 1.7. The deletion of the hyphens does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy as the mark remains clearly recognizable within the disputed domain name.

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.

Under the Policy, paragraph 4(a)(ii), the Complainant has the burden of establishing that the Respondent has no rights or legitimate interests in the disputed domain name. According to the evidence submitted, the Complainant has made a prima facie case against the Respondent that it has not been commonly known by the disputed domain name and that the Complainant has never assigned, granted, licensed, sold, transferred or in any way authorized the Respondent to register or use THE-ODDS-API trademark in any manner.

Moreover, panels have held that the use of a domain name for illegal activity, such as, as impersonation, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

Furthermore, the Panel finds the nature of the disputed domain name carries a risk of implied affiliation with the Complainant and supports a finding that the Respondent lacks rights or legitimate interests in the disputed domain name.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

Under paragraph 4(a)(iii) of the Policy, the Complainant must show that the Respondent registered and is using the disputed 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 this case, both registration and use of the disputed domain name in bad faith can be found pursuant to the Policy, in view of the fact that the Respondent has registered and used a variation of the Complainant's service mark and domain name to offer similar services, having caused actual confusion amongst customers of the Complainant. Furthermore, panels have held that the use of a domain name for illegal activity, here, impersonation, constitutes bad faith. WIPO Overview 3.1, section 3.4.

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 <theoddsapi.com> be transferred to the Complainant[1].

/Wilson Pinheiro Jabur/
Wilson Pinheiro Jabur
Sole Panelist
Date: October 30, 2026

[1] In this regard, the Panel notes the Respondent did not provide a registrant or organization name when registering the disputed domain name, nevertheless the concerned Registrar is directed to transfer the disputed domain name to the Complainant irrespective of the named Respondent in this proceeding.