

ADMINISTRATIVE PANEL DECISION

Sanctum IP Holdings Ltd v. Buan Shao

Case No. DCO2025-0049

1. The Parties

The Complainant is Sanctum IP Holdings Ltd, Antigua and Barbuda, represented by SafeNames Ltd., United Kingdom.

The Respondent is Buan Shao, United States of America (“United States”).

2. The Domain Name and Registrar

The disputed domain name <bodog.net.co> is registered with CloudFlare, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on June 24, 2025. On June 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 25, 2025, 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 (REDACTED FOR PRIVACY) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 27, 2025, 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 July 1, 2025.

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 July 4, 2025. In accordance with the Rules, paragraph 5, the due date for Response was July 24, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on July 25, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on July 30, 2025. 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 was founded by Calvin Ayre in 1994, operating as a provider of online gambling services, specializing in sports betting and online casino offerings.

The Complainant primarily operates from its official websites available at “www.bodog.eu” and “www.bodog.com”, used to host the BODOG platform.

The Complainant is the owner of the following, amongst other trademark registrations:

- European Union trademark registration No. 004491387 for the word mark BODOG, filed on June 15, 2005, registered on October 27, 2006, successively renewed, in classes 35, 36 and 41;
- United Kingdom trademark registration No. UK00904491387 for the word mark BODOG, filed on June 15, 2005, registered on October 27, 2006, successively renewed, in classes 35, 36 and 41; and
- Canada trademark registration No. TMA799015 for the word mark BODOG, filed on May 25, 2005, registered on June 1, 2011, successively renewed, in class 41,

The disputed domain name was registered on November 24, 2024, and presently does not resolve to an active webpage. In the past, the disputed domain name has been used in connection with a webpage that impersonated the Complainant.

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 BODOG platform has a strong online presence, as is reflected by third-party Internet traffic statistics, having “www.bodog.eu” received more than 3.6 million visits between April and June 2024, and “www.bodog.com” received 372,000 visits during the same period (Annex 6 to the Amended Complaint), thus having it accrued significant goodwill and reputation in the BODOG mark, which has become an indication of the source of goods and services supplied by the Complainant.

The Complainant's further states that its BODOG platform was ranked number 4 by the *Reader's Digest* in the Best Gambling Sites in Canada for 2024, also having operated as an official sports betting partner of Aston Villa Football Club and Arsenal Football Club, as well as a shirt sponsor for West Bromwich Albion for the 2011/12 season (Annex 8 to the Amended Complaint) also having sponsored major sporting events such as the Copa do Brasil in 2018 (Annex 7 to the Amended Complaint).

The Complainant further asserts that its BODOG mark has no ordinary or dictionary meaning, used solely in connection with the Complainant's services; having previous panels recognized the goodwill and reputation acquired under the BODOG trademark and its association with the Complainant's services (*Sanctum IP Holdings Ltd v. Andrew Barker*, WIPO Case No. [D2024-3408](#) and *Sanctum IP Holdings Ltd v. Leonid Kurza*, WIPO Case No. [D2024-3366](#)).

The Complainant submits that the disputed domain name is identical to the Complainant's BODOG trademark and is therefore identical to the relevant mark for purposes of the first element.

Regarding the absence of the Respondent's rights or legitimate interests, the Complainant argues that:

- i. the Respondent does not have any trademark rights to the term “bodog”;
- ii. there is also no evidence that the Respondent retains any unregistered trademark rights to the term “bodog”;

- iii. the Respondent has not received any license from the Complainant to use a domain name featuring the BODOG trademark;
- iv. the disputed domain name previously resolved to a webpage that impersonated the Complainant and its offerings by using the BODOG logo purportedly offering betting services which were similar to those of the Complainant (Annex 12 to the Amended Complaint);
- v. the disputed domain name's previous landing website encouraged Internet users to click the prompts "Login" or "Registrar-se", where they were redirected to a competitor website (Annex 12 to the Amended Complaint);
- vi. the Respondent has not been commonly known by "bodog" or anything similar; and
- vii. the Respondent is not making a legitimate non-commercial or fair use of the disputed domain name.

Lastly, the Complainant submits that the Respondent has clearly registered the disputed domain name to target the Complainant's brand intentionally, carrying the disputed domain name a high risk of implied affiliation the Complainant's trademark and offerings, what is further evidenced by the use made of the disputed domain name to impersonate the Complainant.

B. Respondent

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

6. Discussion and Findings

Paragraph 4(a) of the Policy sets forth 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; and
- (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.

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 of WIPO Panel Views on Selected UDRP Questions, Third Edition, ("[WIPO Overview 3.0](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the BODOG mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

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 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 3.0](#), section 2.1.

In that sense, and according to the evidence submitted, the Complainant has made a prima facie case against the Respondent who has not been commonly known by the disputed domain name and is neither authorized, licensed, or been allowed to use the Complainant’s trademark, whether in the disputed domain name, or in any other way.

Also, the lack of evidence as to any trademarks registered by the Respondent corresponding to the disputed domain name, corroborates the indication of an absence of rights or legitimate interests in the disputed domain name.

Furthermore, according to the evidence submitted by the Complainant, the past use of the disputed domain name in connection to impersonate the Complainant and redirect Internet users to a competitor’s website does not constitute a bona fide offering of goods or services, nor a legitimate noncommercial or fair use of the disputed domain name in these circumstances.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to 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.

This case presents the following circumstances which indicate under the balance of probabilities bad faith registration and use of the disputed domain name:

- a) the composition of the disputed domain name consisting of the reproduction of the Complainant’s well-known trademark. Previous UDRP panels have consistently found that the mere registration of a domain name that is identical or confusingly similar (particularly domain names comprising typos or incorporating the mark plus a descriptive term) to a famous or widely-known trademark by an unaffiliated entity can by itself create a presumption of bad faith. See [WIPO Overview 3.0](#), section 3.1.4;
- b) the Respondent has provided no evidence whatsoever of any actual or contemplated good faith use by it of the disputed domain name;
- c) the indication of what appears to be false contact details by the Respondent, not having the Center been able to deliver the Written Notice to it;
- d) the Respondent’s choice to retain a privacy protection service in an attempt to conceal its identity;
- e) the Respondent has used the disputed domain name to impersonate the Complainant and redirect Internet users to a competitor of the Complainant; and
- f) the present passive holding of the disputed domain name. [WIPO Overview 3.0](#), section 3.3.

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 <bodog.net.co> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: August 6, 2025